

Browndale Operations



A compilation of excerpts from the Parliament Sessions of the Legislative Assembly of Ontario concerning the finances, audit and operations of Browndale, Browndale Ontario, Brown Camps, Browndale National, Browndale International and Viking Homes.

There were a lot of questions and concerns raised over the years about the per diem costs, property purchases and the lack of transparency with finances. The OPP (Ontario Provincial Police) and the Attorney General launched an investigation into Browndale and their founder, John L. Brown.

Some of the funds that were given to Browndale were given as operating grants and were spent on capital things, such as the houses in the United States and in Europe and the vast real-estate empire Mr. Brown built up.

On November 21, 1979, Mr. Justice Holland made the decision to sentence John L. Brown to three years for his \$975,000 fraud against the government of Ontario. The judge also expressed the view that any repayment of that amount of money would have to come by separate civil action.

Developmental Services Act

Parliament 29, Session 4 March 26, 1974

[Hansard Transcript 1974-Mar-26 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. E. W. Martel (Sudbury East):...The minister talks about some group housing and could I ask him, for God's sake, not to do what they did in Sudbury? They built an institution in Sudbury at Algoma San for treating the emotionally disturbed and that's no closer to the natural environment of the child than this building is. It is an edifice; it houses 10 or 12 kids. It's totally away from what Vanier has in Europe and what Brown's camps have in Ontario for the emotionally disturbed. It is too elaborate. It is too lush.

Emotionally disturbed children in the Sudbury area don't come from homes that are worth \$200,000, but that is what that place is like. It is a way too elaborate, because if you try to work the child back into the regular home situation and the regular home style he is completely divorced from it. It is an institution; it is an edifice to an architect. It is a waste of money -- all these great, grandiose buildings that don't meet needs. If we were talking about putting people in a setting which is close to their own home situation, then by and large what we should be talking about is small cottage-type homes and not the nonsense that was built at Algoma San two years ago. It was a waste of money.

Royal Assent

Parliament 29, Session 4 June 28, 1974

[Hansard Transcript 1974-Jun-28 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. F. Drea (Scarborough Centre): Mr. Speaker, on a point of privilege before the adjournment. I and several other members of this Legislature had delivered to them today a letter which very seriously impugns the motives of members of this Legislature. It is under the letterhead of Browndale.

I want to raise a couple of points in here as a matter of privilege because it suggests that members of the Legislature are in collusion with members of the medical profession to fund them to perform experimental operations or other experiments upon human beings.

Mr. Speaker, I would like to draw to your attention a paragraph on page 2, and I quote the paragraph:

“There has been deliberate collusion among the professional community in psychiatry, psychology and social work in the Toronto area against any encroachment on the medical model of service to children. There has been gross experimentation in areas that have no facility for experimentation. There has been collusion to pass experiments off as services.”

Mr. Speaker, I would like further on the point of privilege to quote from a paragraph on page 3:

“At the time that I am writing there is a group of people at Queen’s Park who are trying to abuse community treatment and re-establish the need for institutional services. They include a number of my former colleagues in the back benches on the Tory side of the House and a few of the unstable, irrational members of the Liberal caucus. They include such people as the Hon. Mrs. M. Scrivener, the Hon. Mrs. M. Birch, the Hon. Matt Dymond, Mr. Westcott of the Prime Minister’s office, and a few others who are too honourable to be mentioned, but happily they do not include other members of the cabinet or the leadership of the opposition parties.”

Mr. Speaker, this letter is signed -- and I have every reason to believe it was signed. It is a true copy of a letter signed by a Mr. John L. Brown, along with a notation that copies have been sent to all members of the provincial Parliament at Queen’s Park, all members of the council of the municipality of Metropolitan Toronto, and as well to the press.

Mr. Speaker, in view of the fact that I, as a member of this Legislature, have now been accused of voting funds so that medical practitioners may perform experiments upon humans, I frankly regard this as a gross breach of the privileges of this House. I have no reason to believe that this is correct but, nonetheless, I raise it because when a person who has some stature in the community decides to take this particular route of an accusation against all the members of the Legislature, regardless of their party, I suggest to you, Mr. Speaker, the time has come that we draw the line.

I suggest to you, Mr. Speaker, in regard to the charges outlined in this letter, since to me they violate every privilege I have as a member, at the very least a select committee be struck off to investigate the charges and the person who made them. Quite frankly, at the very most it might be a more practical suggestion that there be a judicial inquiry, not only into the charges that have been made about experimentation upon human beings who are wards of the Crown, but a judicial inquiry into the person and the operations who are making them.

Mr. Speaker: I must say that I have not been able to determine just what parliamentary privilege has been breached. Perhaps the letter may contain some accusations. Of course, it is not within my authority or responsibility to set up any such inquiry as has been suggested. However, I will be pleased to look into the letter a little further to determine whether or not there has, in fact, been any parliamentary privilege that has been breached.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

Mr. Speaker: This House stands adjourned until a date to be named by Her Honour the Lieutenant Governor.

The House adjourned at 8:40 o'clock, p.m.

ESTIMATES, MINISTRY OF CORRECTIONAL SERVICES (CONTINUED)

Parliament 29, Session 5 April 18, 1975

[Hansard Transcript 1975-Apr-18 | Legislative Assembly of Ontario \(ola.org\)](https://www.ola.org/hansard/transcript/1975-Apr-18)

Hon. Mr. Potter: A question was raised about the quiet rooms. And it is true we call them quiet rooms. It is a room where they must put a child under certain circumstances, and this is done strictly for a limited time. These are children who have problems; assaulting other children or perhaps harming themselves. Sometimes it is for their own security that they must be kept separate from the others. The policy of the ministry is that they may not be held for more than 48 hours, and then it is only on the authority of the superintendent. And, if there is an exceptional case that he wants to keep more than 48 hours, then he has to get the approval of the regional

administrator. Sometimes, for security reasons, it is necessary to isolate children who are awaiting a court hearing and who are considered security risks. When that's the case, there is always someone available to see that they are all right. There were fewer than a dozen instances of 48-hour segregation in the past year, and each time a ward was held in a detention centre, it is necessary for the superintendent to prepare a report for us, giving the reasons for the admission to the detention, a record of the times when the ward was checked by the staff, when he was fed, when he was showered, the time of release and so on. The group mentioned by the hon. member, who have been most anxious to see the abolition of training schools, have met with officials of my ministry. As a matter of fact, even as late as yesterday they admitted that there is a percentage of these children that must have some types of facility because they can't be handled in a private home.

Mr. Cassidy: There are group homes.

Hon. Mr. Potter: They can't be handled in group homes, believe me. I am sure you are perfectly familiar with Brown Homes, who operate quite a few homes for us and for other ministries, and even they have the occasional case that they can't handle and we must have some way of dealing with it. But I would like to ask the hon. member, when he is being so destructive of the programmes that are in operation in the province --

Mr. Havrot: As usual.

Hon Mr. Potter: -- if he has actually ever been in them himself. Has he seen them? Does he know what's going on? I would be delighted to arrange a tour for him so that he can see for himself, first hand, the programmes that are there and the dedication of those who have the responsibility of teaching these individuals. Perhaps then he wouldn't be quite so critical. Those are about the only comments I have to make, Mr. Chairman.

Parliament 30, Session 2 January 15, 1976

[Hansard Transcripts 1976-Jan-15 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. Eakins: Mr. Speaker, to the Minister of Health: Is the minister aware of the problems in the Haliburton-Peterborough region of Browndale (Ontario), the recent firings and the possibilities that homes in that area will be closed down? Will he make public his own ministry's reports on the Browndale operations there? Will he consider a full investigation of the situation?

Hon. F. S. Miller: Mr. Speaker, I am well aware of the problems. I believe they are internal in nature.

Mrs. Campbell: Internal or external.

Hon. F. S. Miller: I believe it results from Mrs. Debbie Brown changing certain key staff. We are watching the programmes, because our real concern is whether the children are being properly treated. We realize that there will probably be a number of relocations of children in most cases back to other communities closer to the ones from which they came. We are watching it very closely.

As far as revealing internal documents is concerned, no.

[2:45]

Mr. Speaker: We will allow one supplementary.

Mr. Eakins: Does the minister agree with the apparent Browndale practice of having one of its operations rent, lease and sell properties and services to another part of the organization? Is it not true that his ministry has told other operators that they can't operate in that fashion and yet the minister has continued to allow Browndale to do this?

Hon. F. S. Miller: First of all, Mr. Speaker, I don't know that we have ever told anybody else that. Secondly, we don't pay them on the basis of the cost of a home, we pay them for a per diem charge for services rendered the same as we pay all other organizations now. I don't care whether they are in a palace or whether they are in a modest home, that is their business.

BROWNDALÉ OPERATIONS

Parliament 30, Session 3 April 20, 1976

[Hansard Transcripts 1976-Apr-20 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: I have one final question. This is for the acting Minister of Health.

Is it still government policy that no one associated with Browndale Ontario, supposedly a non-profit organization, is to have a financial interest in property leased by that organization? Is that still the policy of the government?

Hon. B. Stephenson: To my knowledge it is, sir.

Mr. S. Smith: As a supplementary: Is the minister not aware that documents sent to the Attorney General (Mr. McMurtry) indicate extensive leasing to Browndale Ontario by several private companies controlled by John Brown and others, and by Deborah Brown. I wonder what became of the commitment made in June, 1974, by John Brown that certain of these properties would be sold to Browndale Ontario or to the public? Brown Camps Ltd., Brown Camping Supplies Ltd., Brown Camps Leasing Ltd. are all leasing extensive properties to Browndale Ontario.

Hon. B. Stephenson: Mr. Speaker, I'm aware that the documentation has been sent to the Attorney General. I trust I shall be hearing from the Attorney General in short order regarding our actions in this area.

Mr. S. Smith: May I, at this point, direct the question to the Attorney General? Is it a fact that we'll be hearing in very short order about this very interesting leasing arrangement going on between John Brown and Browndale Ontario?

Hon. Mr. McMurtry: Mr. Speaker, as already indicated, certain documentation was sent to my ministry. There is, presently, an investigation into the allegations which accompanied the documentation. I would hope I'll be able to make a statement shortly to the Legislature but I can't guarantee that. It's a fairly extensive investigation.

Mr. Speaker: Any further questions? The hon. Solicitor General has the answer to a question which was asked previously.

Browndale Operations

Parliament 30, Session 3 April 22, 1976

[Hansard Transcripts 1976-Apr-22 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: A question for the Attorney General: What is going on, Mr. Attorney General? Can he tell the House really what is happening with Browndale? I realise that he is very busy -- the playoffs are on and all that -- but seriously, how can --

[2:45]

Interjections.

Mr. Speaker: Order, please. Will the member place the question?

Mr. S. Smith: How can it be that the official in the Attorney General's department denies that the Ontario Provincial Police have in fact started inquiries, that he now refuses to back up the Attorney General in his statement that there is an Ontario Provincial Police inquiry into Browndale? What is happening there? Is there or is there not a police inquiry? Will there be a public inquiry into the financing affairs of Browndale? Can we expect some real action and not just a runaround between Health and the Attorney General and his officials?

Hon. Mr. McMurtry: Mr. Speaker, the leader of the Liberal Party is very much in error when he states that any official in my ministry stated that the Ontario Provincial Police were not involved.

Mr. Reid: They are all at the hockey games.

Hon. Mr. McMurtry: The fact of the matter is that the Ontario Provincial Police have had these documents for some weeks. What I learned after the leader of the Liberal Party's question the other day was that the OPP had, together with the official in my ministry looking after the matter, decided that fundamental to any effective investigation was a complete audit of the Browndale operation and I am advised by the Ministry of Health that this audit will be complete by tomorrow.

Mr. Eakins: The audit is finished.

Mr. Reid: They are not very good with figures.

Mr. Speaker: Order, please.

Hon. Mr. McMurtry: And this will enable them to pursue the investigation that I referred to the other day.

Mr. Eakins: Why don't you table the audit? It is completed.

Mr. Speaker: Any further questions?

Interjections.

Mr. Speaker: The member for Hamilton West with a supplementary first.

Mr. S. Smith: As a supplementary on this --

Mr. Yakabuski: You have a lot of gall, Stephen, asking a supplementary. Still on the payroll?

Mr. Speaker: Order, please. The member for Hamilton West.

Mr. S. Smith: -- can the Attorney General give us any assurance that a hearing will be held at which people who wish to bring evidence can come forward, people who have informed some of us that they have very important evidence to give but who cannot come forward unless subpoenaed under oath? Can the Attorney General assure us that the affairs of this so-called non-profit organization, which has so many dealings with a number of highly profit-making aspects of a very large empire, will be brought to public light and scrutiny by means of a judicial inquiry of some kind?

Hon. Mr. McMurtry: At this point it's much in too premature to suggest that any judicial inquiry is warranted. But I would suggest to the leader of the Liberal Party that he exercise his responsibility, If there is something rotten in the whole Browndale situation, as he said on the radio yesterday --

Mr. S. Smith: There is plenty.

Hon. Mr. McMurtry: -- and if he has a lot of evidence accumulated --

Mr. S. Smith: And I do.

Hon. Mr. McMurtry: -- by his research staff, as he said yesterday, then he has a responsibility to turn it over to us and the Ontario Provincial Police.

Interjections.

An hon. member: Put your money where your mouth is.

Mr. S. Smith: Just ask for it and you'll get it.

Mr. Speaker: Order, please. The hon. member for Hamilton West asked a supplementary. The hon. Leader of the Opposition, I believe, had one -- does he still have one?

Mr. Lewis: Its order to clear the air or to clarify matters as soon as possible, can an undertaking be given that the results of the audit and whatever it shows be tabled in the House and a statement be made to the Legislature as soon as possible?

Hon. Mr. McMurtry: I see no reason why that cannot be done, Mr. Speaker.

Mr. S. Smith: Continuing the same line of questioning, can the Attorney General not imagine a situation where information has been brought forward but which, unless provided under oath at a judicial inquiry, could be considered very damaging to people's reputations and also damaging to those who provided the information? Can the Attorney General not possibly understand that a judicial inquiry is the only place that such evidence can actually be presented?

Hon. Mr. McMurtry: Mr. Speaker, my position has always been that judicial inquiries should not be used to go on fishing expeditions; that is simply an abuse of the process. A lot of people are victimized needlessly if this is the type of approach that the member is so enthusiastic about recommending. We must have some reasonable evidence on which to base the calling of such an inquiry, as you suggest. Again, I invite the member to turn over to us any relevant material that he has in his possession.

Mr. S. Smith: The minister has only to come and ask for it.

Browndale Operations

Parliament 30, Session 3 April 26, 1976

[Hansard Transcripts 1976-Apr-26 | Legislative Assembly of Ontario \(ola.org\)](http://hansard.ola.org/1976-Apr-26)

Mr. S. Smith: A question of the Attorney General: Has the audit of Browndale been completed and presented to him? Is he prepared to present it to us at this time?

Hon. Mr. McMurtry: I don't know whether the audit has been completed. I do know that it has not been presented to me.

Mr. S. Smith: Supplementary: Continuing on that topic, could the Attorney General give an opinion in terms of whether he thinks it is appropriate that a non-profit institution, Browndale, Ontario, should have been considering in February, 1974, the purchase of shares in one of the Brown private companies, namely Browndale International Ltd.? Does he feel that this is proper and can he tell us whether those shares were purchased?

Hon. Mr. McMurtry: It's not my role to volunteer legal opinions on a few bare facts presented to me by any member of this Legislature, with the greatest respect to all of the members. I indicated to the leader of the Liberal Party that an investigation was under way, and that information relating to the audit would be made available to members by staff as soon as this information is available. As a matter of fact, I believe that members of my staff met with the leader of the Liberal Party at the end of last week to ascertain what information might be of assistance in such an investigation. I don't think I have anything more to say at this time.

Mr. S. Smith: Just one more supplementary: I did meet with the Attorney General's staff, and can he explain to this House how it's possible that he could have had in his possession for some considerable time an affidavit from one Mr. Sorbie, pointing out, in paragraph 15, that there was one particular person, a Dr. Wong, who had important information to give and would give it under oath; and that by the time the minister's people spoke to me on Friday none of them had gone to speak to that particular Dr. Wong, even though he was the only person singled out as a person having important information to give? Could the Attorney General explain what kind of an investigation that is, that nobody in fact spoke to the man?

Hon. Mr. McMurtry: They indicated, to the House, the affidavits have been in the possession of the Ontario Provincial Police for some weeks; I'm confident that they are quite capable of making a proper investigation. I have no intention of directing the investigation on a day-to-day basis, if at all.

Mr. S. Smith: What about a week-to-week or a year-to-year basis?

Mr. Speaker: Further questions?

Browndale Operations

Parliament 30, Session 3 April 27, 1976

[Hansard Transcripts 1976-Apr-27 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: Is the Attorney General aware that only one of 13 childcare workers is left in the Peterborough Browndale Home -- 10 having quit and two having been fired this year -- and that four workers have been fired at Haliburton? Is he aware of that, and would he take this information as further evidence that there is something seriously wrong in the Browndale operation that requires public scrutiny?

Hon. Mr. McMurtry: I'm not aware of the information related by the leader of the Liberal Party. Again, any information that the leader of the Liberal Party feels is relevant will be delivered to those who are conducting the investigation of which we have spoken before in this Legislature.

Mr. Reid: What does your staff do?

Mr. S. Smith: A supplementary: Is the Attorney General proposing that I take a part-time job as a member of his staff?

Mr. Moffatt: That's a good idea.

Mr. S. Smith: Do the people working for you do anything?

Hon. Mr. Rhodes: A few part-time jobs -- part-time with him and part-time here.

Mr. Speaker: Order, please. The hon. member will place the question if he has a question. If not the member for Lakeshore

RESIDENTIAL PREMISES RENT REVIEW AMENDMENT ACT

...

Mr. S. Smith: The other matter has to do with religious institutions. Certainly I don't wish to raise any particularly contentious issue here or be taken in the wrong way, but I hope that our reading of this particular clause corresponds with the intention of the government, that if a religious institution should happen to make investments in residential property from the point of

view of commercial gain, and even if that particular gain were then to be used for religious purposes, that nonetheless the tenants in a building that happens to be owned by some given religious institution should receive the same protection that other tenants in Ontario receive.

Mr. Cassidy: That is a theological assumption, Mr. Speaker.

Mr. S. Smith: It is particularly important that we also guard against the possibility that a group of unscrupulous businessmen may incorporate themselves into a church of some kind just for the purpose of getting this particular exemption.

Ms. Gigantes: Only a Liberal.

Mr. Cassidy: Only a Liberal.

Mr. S. Smith: John Brown actually had some good ideas that you might look at, and he is not a Liberal.

Mr. Ruston: What about Lewis and the Browndale group?

Mr. Singer: Non-profit!

Mr. Ruston: Non-profit!

Mr. Cassidy: That is called being a Liberal with a grudge.

Mr. S. Smith: Knowing very well from examples of previous NDP members, knowing very well what can happen with non-profit and so-called public service institutions, I think we have some reason to be a little concerned. So if the minister and his staff are satisfied that that loophole or that potential for commercial exploitation by a given religious group is really not part of that, then of course we will have no objection to passing that particular section.

Residential Services Report

Parliament 30, Session 3 May 6, 1976

[Hansard Transcripts 1976-May-06 | Legislative Assembly of Ontario \(ola.org\)](http://ola.org)

Mr. S. Smith: A question for the Minister of Community and Social Services: Is the minister waiting until the Browndale audit is completed before releasing a report from within his ministry,

by Magder and Anderson, on the subject of group homes? Does the minister, in fact, intend releasing this report?

Hon. Mr. Taylor: Mr. Speaker, if the leader of the Liberal Party will identify the report that he has in mind I may be able to help him. There has been an interministerial committee report on the whole field of residential care that was chaired by Mr. Anderson. If that's the one that he's referring to then I would like to know and I could answer him further from there.

Mr. S. Smith: If I may respond, there is an interministerial committee report that the minister is referring to, but there is also a report by Magder and Anderson, which I gather has been on the minister's desk for a month, and I wondered if he would like to make that particular report, and the other interministerial committee report, public or at least take the House into his confidence?

Hon. Mr. Taylor: First of all, the report has not been on my desk for a month.

Mr. Eakins: Three weeks?

Mr. Good: Twenty-nine days?

Mr. S. Smith: You admit to there being one?

Hon. Mr. Taylor: Furthermore, in terms of the interministerial report, when the recommendations are considered by government a determination will be made in terms of its release. In regard to any other report, I will investigate, or at least review it, and if there are further particulars that the leader of the Liberal Party wishes in connection with that then I would be happy to help him.

Mr. Lewis: A quick supplementary: Is there, in fact, a separate report, in addition to that interministerial committee report?

Hon. Mr. Taylor: I haven't seen the report. I was asking for additional information because I know it's not on my desk. If that report -- a separate report from the one I referred to -- is available then, of course, I will get further information, as I indicated, and be happy to answer further questions on it.

Group Home Licensing

Parliament 30, Session 3 May 17, 1976

[Hansard Transcripts 1976-May-17 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: Another question of the Minister of Community and Social Services: Is he aware that there are presently group homes operating in Ontario in contravention of zoning laws, fire regulations and without licensing from his ministry? And will he tell us what became of the promise by Assistant Deputy Minister John Anderson on Aug. 21, 1975, as reported in the Globe and Mail, that legislation would be drafted to make licensing mandatory for all homes, not just the ones with four or more children?

Hon. Mr. Taylor: Mr. Speaker, in terms of group homes, I think the leader of the Liberal Party may know, or he may not, that group homes are usually operated by some agency, often other than the government. We do some financing -- for example, the group home may be owned and operated by a Children's Aid Society. In terms of compliance with the local regulations and zonings, I would expect that before a group home was operated by an agency, whatever that agency may be -- and there are a number of them in Ontario, as the member may know -- then they would clear it with the local authorities to ensure that they operate in compliance with the local regulations.

In response to the second part of the question, the whole area of residential care is currently being reviewed. I don't have any amendments presently in regard to that field but when we are in a position to do something then of course, that will be brought forward and presented to the House.

Mr. S. Smith: A supplementary: It's hard to know, with this droning answer, whether the minister cares about the fact that these group homes are operating in our province in contravention of the fire regulations and zoning laws --

Mr. Speaker: Is this a supplementary?

Mr. S. Smith: -- but let me ask the minister this: Is he aware that Viking Homes in particular has licensed only five of its 17 homes in the Viking One programme? Can the minister tell us how

often inspections are made of all unlicensed homes; whether more than four children have been found; and, finally, how many convictions have been registered for those instances where more than four children have been found?

Hon. Mr. Taylor: Mr. Speaker, may I apologize to the leader of the Liberal Party if I speak in a droning way? I tolerate his manner of speech without criticism, but I was speaking slowly so that he may perceive what I have been trying to get across.

The point is that group homes, of course, are physical buildings that are either purchased or erected in local municipalities that have their official plans and their zoning bylaws. They also have their codes which determine the type of services that are necessary.

We have, I may say, a provincial building code that applies now and covers such things as wiring and plumbing and fire prevention and so on, so these local ordinances or bylaws are usually enforced at the local level. Surely if there is some question as to a breach of a bylaw then that should be prosecuted at that level.

Sure we're interested -- the province is interested, my ministry is interested -- in ensuring that anything that we fund is properly operated. There is a difference; we have to license it then, of course, we have the further controls in terms of the licensing -- whether it's approved for licensing, the inspections and so on. If the hon. member has some problems in connection with any one of these homes, whether it be Viking One or Viking Two or what have you, let him please let me know and I'll check that particular establishment and ensure that he has a report on it.

Mr. S. Smith: Supplementary --

Mr. Speaker: Order, please. May I just point out that there are practically 33 minutes of the question period gone. The questions are lengthy and some of the answers are lengthy as well so --

Mr. S. Smith: The questions are lengthy?

Mr. Speaker: Order, please. There are offenders on both sides of the House, I assure you.

Now, does the hon. member for Hamilton West have a further question, because there are many more around the room?

Mr. S. Smith: I'll call it a further question. Does the minister care that Viking Homes has licensed only five of its 17 homes in the programme? I ask the minister the question -- and I'll put it differently so as to be a supplementary -- can he tell us again whether the ministry inspects unlicensed homes; whether it inspects the ones that are not licensed -- and whether it ever finds more than four children there, which means they should be licensed, and whether that violation is prosecuted? If so, how many times?

Mr. Warner: In 25 words or less.

Hon. Mr. Taylor: Again, Mr. Speaker, there is a distinction between those homes that have five or more residents in them and those that don't. If they have five or more, then they are licensed by the ministry and certainly we have inspections in those cases.

Mr. Shore: Why is it so difficult to answer?

Hon. Mr. Taylor: It's not difficult, it's --

Mr. Speaker: Order, please. Do you have any further questions?

Hon. Mr. Taylor: -- a simple matter that the Liberal leader should understand. He doesn't know anything about the problems.

Mr. Speaker: Order, please.

Browndale Operations

Parliament 30, Session 3 May 18, 1976

[Hansard Transcripts 1976-May-18 | Legislative Assembly of Ontario \(ola.org\)](http://hansard.ola.org)

Mr. S. Smith: A question to the acting Minister of Health: What penalty will the ministry enforce against Browndale for allowing children to remain in homes designated as overcrowded and unsafe by her own ministry officials, and what is the excuse for the inaction on the part of her ministry in view of a letter written in January by the director of children's mental health services saying, among other things, "When the safety of children is seriously questioned there can be no excuse whatsoever for the interminable delays in handling this situation"?

Hon. B. Stephenson: Mr. Speaker, I cannot at this point answer a question regarding a specific penalty, but I can tell the House that I shall be meeting with Mrs. Brown on Thursday to discuss this entire area.

Mr. S. Smith: Supplementary: I am pleased to hear that the minister is meeting with Mrs. Brown about various matters, but in view of obvious negligence on the part of Browndale, why has the ministry not simply done the report itself and then billed Browndale?

Hon. B. Stephenson: That's an interesting suggestion, Mr. Speaker. I will take it under advisement.

Mr. Eakins: Supplementary, Mr. Speaker: Could the minister tell us how many hours the people in her staff are having to spend to sort of babysit and look after Browndale, when they should be able to look after themselves? It seems to me the people in her ministry are spending an awful lot of time having to keep them within the regulations.

Hon. B. Stephenson: I really don't believe that anyone is babysitting Browndale within the ministry at the moment. The normal activities related to any group or association which provides service on behalf of the ministry are, of course, carried out on a regular basis.

Mr. S. Smith: I am looking forward to the audit from Browndale.

Browndale Operations

Parliament 30, Session 3 May 21, 1976

[Hansard Transcripts 1976-May-21 | Legislative Assembly of Ontario \(ola.org\)](https://www.ola.org/hansard-transcripts/1976-May-21)

Mr. S. Smith: A question to the acting Minister of Health: Can she report on the results of her meeting with the Browndale officials? Can she tell us whether the audit is available? Can she tell us whether she could expand on references in the past to payments by Browndale involving thousands of dollars to either consultants or other companies?

Hon. B. Stephenson: Mr. Speaker, the audit is still not entirely completed because we have requested further information, which we are assured will be forthcoming some time within the very near future. I may say that the meeting yesterday, I think, was useful. I think it probably,

however, is the first of a series of meetings regarding a number of issues related to the Browndale situation; and when that series is completed, I'm sure that there will be a full report to the House.

Mr. Speaker: Final supplementary.

Mr. Shore: Could I ask who is doing --

Mr. Speaker: I think the hon. member has had one supplementary.

Mr. S. Smith: That was my first question; not a supplementary.

Mr. Speaker: I meant it was the final supplementary by the hon. member for London North.

Mr. S. Smith: Mr. Speaker, I just asked a question on Browndale; I received an answer. I was about to ask a supplementary when my friend from London North got up and --

Mr. Speaker: May I make it clear; the hon. member for Hamilton West may ask a supplementary.

Mr. S. Smith: Thank you very much. Will the minister comment on any of these payments and the so-called management contracts that Browndale, the Brown Camps residential and day schools or any other Brown concern has? Could she also comment on the fact that these contractual arrangements have not been allowed in other jurisdictions? They have been considered questionable legal practices in other jurisdictions, such as Illinois for instance.

Hon. B. Stephenson: Mr. Speaker, I was not aware that Illinois had considered such to be illegal; however, I think it would be inappropriate for me to comment at all on those because those are the specific areas about which we have requested further information. When we have that further information, then comment will be made.

Mr. Shore: Supplementary, Mr. Speaker: Could I ask the minister who is doing the audit on this investigation?

Hon. B. Stephenson: Yes, Mr. Speaker, it is an audit which is being carried out by the financial branch of the ministry, to which several of our expert auditors are presently directed.

Mr. Reid: Are they the ones who lost \$50 million a couple of years ago?

Group Home Licensing

Parliament 30, Session 3 May 21, 1976

[Hansard Transcripts 1976-May-21 | Legislative Assembly of Ontario \(ola.org\)](http://ola.org)

Mr. S. Smith: I have a question of the Minister of Community and Social Services. Will the minister table a report he has, which I can assure him is not of great interest to the Russians and there is no other need to keep secret, on Viking Houses, commissioned by the former minister last year in response to a series of Globe and Mail stories, which apparently recommends licensing for all group homes regardless of the number of children in them? Will he now admit it was this support that prompted his assistant deputy minister to promise legislation in this regard last year?

Hon. Mr. Taylor: I think the leader of the Liberal Party may be somewhat confused in terms of the sequence of events and the reporting.

Interjections.

Hon. Mr. Taylor: As I explained some time ago, an interministerial committee was set up. The report was completed and it is presently being discussed by the policy field on social development. That's a cabinet document and not for publication. In terms of his specific reference to Viking Houses and the licensing of a home, regardless of the number of residents in that home, I don't think it makes sense frankly to provide a licence for someone who might have a visitor, for example, a grandmother, who would be looking after a couple of grandchildren. The hon. member would have them licensed if what he says is correct.

Mr. Shore: That's the minister's real heart coming out now.

Hon. Mr. Taylor: Yes, indeed. I would rather the hon. member be more specific in the particular document that he's talking about. In my estimation, that's part and parcel of the overall study of the problem of residential care, whether it's for the young or for the old.

Mr. S. Smith: By way of supplementary, since the minister is unable to tell the difference between a group home operating for profit, as Viking Houses is, and a grandmother having some

children to babysit, may I ask if the intent of his remarks is that any grandmothers who presently happen to have five children in the house are supposed to apply to his ministry for a licence?

Hon. Mr. Taylor: Again, I would have expected that the hon. member would recognize the difference between children who have common parentage and those children who don't. We are talking about children without common parentage when we are talking about the group homes.

Mr. Breithaupt: It is your grandmother, not ours.

Hon. Mr. Taylor: If the member wants to talk about his grandmother, the grandchildren could be from different parentage.

Mr. Ruston: They are in bad shape over there.

Mr. S. Smith: When the minister knows that his own report has advised licensing group homes for fewer than five children, how can he come before this House and tell us that that is impossible when his own assistant deputy minister has recommended a very similar thing and has promised --

Mr. Speaker: Order, please. May I point out to the hon. member for Hamilton West this is not supposed to be a debating session?

Mr. Peterson: It was a good question.

Mrs. Campbell: Let him answer the question.

Mr. Speaker: Order, please. The question is to ask for information and then the supplementary is to ask for a clarification or further information and is not to be debated.

Mr. Ruston: It is called a non-reply.

Hon. Mr. Taylor: The hon. member made reference to licensing of homes, regardless of the number of residents.

Mr. Mancini: Which question is he answering now?

Hon. Mr. Taylor: The second reference was in regard to licensing of group homes with fewer than five. There's a big difference because one may draw the line at three and one may draw the line at four but presently it's at five. Certainly we are considering the drawing the line at something other than five but I wouldn't suggest that that be drawn at two, for example.

[10:30]

Mr. Lewis: Supplementary: Is the minister also considering the, in a sense, rather broader question in the interministerial task force of the right for group homes, dealing with disadvantaged young or old, to locate in municipalities and in communities across the province without the discriminatory exclusion which many municipalities now render by zoning bylaws? In other words will he suggest an amendment to the Municipal Act or the Planning Act, which will remove the right to discriminate against group homes of the kind we're discussing, whether they're for kids or the aged?

Hon. Mr. Taylor: Mr. Speaker, what the Leader of the Opposition is talking about is the problem of municipalities passing restricted area bylaws or zoning bylaws which effectively prohibit the establishment of a group home in a neighbourhood. As a matter of fact we have addressed ourselves to that problem. We have suggested a model type of bylaw a municipality could pass which would permit this type of thing because we think there's merit in many cases in establishing a more normal neighbourhood type of setting. At the same time, in direct reply, we have not considered making it mandatory for a municipality to zone any specific use in any specific area.

Browndale Operations

Parliament 30, Session 3 May 25, 1976

[Hansard Transcripts 1976-May-25 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: Will the Minister of Health now give us a firm date for a report on Browndale and the tabling of the audit, and given the vast sums of tax money flowing to Brown Camps residential and day schools through property leases and a highly questionable management contract -- over \$1 million each year, I would imagine -- will he report on how our money is expended at that level?

Hon. F. S. Miller: Mr. Speaker, that's one of the issues I have to get more information on. I know that a meeting was held last week between representatives of Browndale and the acting minister. I know that questions were asked in that regard and we're waiting for certain answers. I'll be able to answer this more specifically when my staff has been able to bring me up to date.

Niagara Centre for Youth Care Funding

Parliament 30, Session 3 June 1, 1976

[Hansard Transcripts 1976-Jun-01 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. Breithaupt: A question of the Minister of Health, Mr. Speaker: Is the minister aware that the proposal for a teenage service system operated by the Niagara Centre for Youth Care cannot be implemented due to financial restraints in the children's mental health services division?

Hon. F. S. Miller: Yes, I am, Mr. Speaker. I have spoken to that group two or three times. It has a high priority, and we are trying to find funds. They will not be for this year, but it is one of those programmes we wish to finance.

Mr. Breithaupt: Would the minister not agree that if he was able to avoid the payment of the nearly 1 million to Browndale (Ontario) for management services he might well have the funds therein to fund this very programme?

Hon. F. S. Miller: That makes an assumption that may not necessarily be correct.

Mr. Breithaupt: Is the minister prepared at least to look into the situation to find out what those management fees are and to report to the House about them?

Hon. F. S. Miller: I have already done so.

Browndale Operations

Parliament 30, Session 3 June 3, 1976

[Hansard Transcripts 1976-Jun-03 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: I have a question of the Minister of Health, which he may wish to share with the recently arrived Attorney General (Mr. McMurtry). The minister has apparently indicated to the House that he has been looking into the Browndale contract; this was on Tuesday and I wasn't here. Is he prepared to give a full report to the House and make the audit public? Why has it taken since February to finish an audit which was supposed to take one month? Will the minister stop stonewalling on this important issue?

Mr. Cunningham: Time is your strength.

Hon. F. S. Miller: Mr. Speaker, as a result of the audit done by our staff, we asked for details on the professional components charged by Browndale National -- I think that is the name of the company -- to Browndale Ontario. This information, I am told, is going to be given to us and we will be allowed to look at it at that time and come to some conclusions as to the fairness of the charges; whether, in fact, they've kept enough people on staff to justify the amounts charged per person per day and so on. I'd like to give them the time to respond, since they said they would do so.

Mr. S. Smith: Supplementary: Is the minister aware that the longer he continues delaying and giving them more and more time to prepare things for him, the greater the harm it is doing the parents and the reputation of other operators and the children? I'm being deluged with letters about this. Does he realize that time is of the essence and that this session is only going on a little while longer?

Hon. F. S. Miller: Mr. Speaker, I think the two things are totally unrelated. Browndale has problems, but they don't relate to whether or not I'm paying a fair amount or Browndale is paying a fair amount for the psychological or psychiatric services supplied by its central office. There certainly are problems involving the quality of care, particularly in Haliburton, that have been of real concern to this ministry of late. Those are under active discussion and it would appear that the best solution could well be the same kind of local board that we set up in Peterborough.

I understand some disagreement has been voiced by members of Browndale about that course of action. As yet, as far as I know, I don't have any authority to insist on it. I can only request it and I've been doing that.

Mr. Shore: Supplementary: It was my understanding that the acting Minister of Health (B. Stephenson) said that as soon as the audit was done it would be presented to this House, and I don't think it is a matter of what's in the audit, but I would like to ask the minister why he will not present the audit to this House?

Hon. F. S. Miller: I have not said I wouldn't.

Mr. Shore: Pardon? I didn't hear the answer.

Mr. Speaker: Would the minister repeat his answer?

Hon. F. S. Miller: I have not said I wouldn't. I'll be glad to review what the acting minister said and make that determination.

Browndale Operations

Parliament 30, Session 3 June 7, 1976

[Hansard Transcripts 1976-Jun-07 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: A question of the Attorney General: Can the minister assure us that the OPP investigation into Browndale will be reported to this House sometime before we rise for the summer recess, and can he explain why the OPP has not simply gone in and taken the figures it requires to carry out its investigation? Why do we have to wait at the pleasure of Debbie Brown?

Hon. Mr. McMurtry: I have not had a recent report in relation to the investigation into Browndale, part of the reason being in respect to certain of my responsibilities last week in Ottawa. What I would endeavour to do is obtain for the leader of the Liberal Party some information in respect to what stage the investigation is in and as to whether or not it is reasonable to assume there will be any report made to the Legislature before the Legislature rises. I simply can't answer the question at this time, but hopefully I'll be able to do so within the next day or two.

Browndale Operations

Parliament 30, Session 3 June 8, 1976

[Hansard Transcripts 1976-Jun-08 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: A final question on another topic for the Minister of Health. Is the minister aware that a well-organized campaign in defence of Browndale by so-called Browndale parents is

actually directed from Browndale offices, uses an old Browndale post office box as the return address and involves an employee of a Browndale organization who is now with Brown Camps' residential and day school?

Hon. F. S. Miller: No, Mr. Speaker, but as a minister of the Crown I have often wondered if letters to the editor weren't sometimes organized the same way.

Mr. Yakabuski: That's awful -- that's terrible.

Mr. S. Smith: A supplementary question: Given the surrealistic level to which the minister has allowed this entire matter to degenerate and considering the great damage being done as a direct result of his inability to answer our questions and clear the air, can we expect his full report and a copy of the famous audit before the House rises for the summer?

Hon. F. S. Miller: Not necessarily, Mr. Speaker. I have tried to check to see whether an undertaking to give an audit to this House was ever made. I find it might be a very difficult thing to promise that an audit be revealed, for this or for any other group to which we have access.

[2:30]

Mr. Shore: Supplementary: It is interesting; I asked the other day if the minister would put that audit before this House, as I was led to believe that promise was made to this House. Could I hear his comment again? He said he's trying to find out whether that was promised to this House?

Hon. F. S. Miller: Mr. Speaker, as I recall the member's comments the other day, he accused me of not making the promise. Would he go back to Hansard and read it again?

Mr. Shore: I am not accusing the minister of anything.

On a point of privilege, Mr. Speaker. With the greatest respect, Mr. Speaker, I have not had an answer to the question today or the question that I put the other day, that the minister promised to give. I haven't had that answer.

Mr. Speaker: I can't help that.

Mr. Yakabuski: Mr. Speaker, supplementary to the Minister of Health on the audit that we hear so much about with regard to Browndale: I'm wondering, how far back will that audit go? Will it

cover the period from the founding of the Browndale organization? Will it name the directors over that period? Will it tell of the salaries paid? Will it go into all that kind of detail?

Mr. Samis: General, you haven't changed a bit.

An hon. member: They're going to get you, Stephen.

Interjections.

Hon. F. S. Miller: Perhaps, Mr. Speaker, some of the members opposite could help me answer those questions.

Mrs. Campbell: Not this caucus.

Mr. Roy: Paul, I want to help you for the next time. You are in big trouble there; 1,000 people at the meeting. You are in trouble.

Mr. Lewis: You won't be here to ask that question next time around, Paul.

POINT OF PRIVILEGE

Mr. S. Smith: On a point of privilege, Mr. Speaker -- and I ask your guidance on this particular matter, which I think is a serious one -- it is my understanding that earlier today the Minister of Health tried to deny that a commitment had been given earlier by a cabinet minister to this House to produce an audit of how public funds are being used and have been used in this province with regard to Browndale.

On April 22, 1976, in answer to a supplementary question from the Leader of the Opposition, the Attorney General had the following exchange:

"Mr. Lewis: In order to clear the air, to clarify matters as soon as possible, can an undertaking be given that the results of the audit and whatever it shows be tabled in the House and a statement be made to the Legislature as soon as possible?"

This was about two months ago.

"Hon. Mr. McMurtry: I see no reason why that cannot be done, Mr. Speaker."

That was the end of that exchange.

I would ask you to rule, Mr. Speaker, that we are being stonewalled here and that the government is going back on a commitment given to this House --

Hon. Mr. Davis: You are not being stonewalled.

Mr. Nixon: By the Attorney General.

Mr. S. Smith: -- by the Attorney General.

Hon. F. S. Miller: First, the hon. leader of the Liberal Party did not hear me say today that a commitment had not been made. He heard me say I was not sure that a commitment had been made.

Mr. S. Smith: Now you are sure.

Hon. F. S. Miller: All right. I think the member needs to read that again carefully to see whether it says the audit would be given or the results of the audit.

Mr. Speaker: I don't think there is anything further to add to that.

Mr. Conway: Are you afraid of it?

Mr. S. Smith: What is the cover-up for?

Mr. Speaker: Order, please.

Presenting reports.

Motions.

Hon. Mr. Welch moved that when the House adjourns on Thursday, June 10, it will stand adjourned until Monday June 14; further, notwithstanding any previous order, that the House will sit on Wednesday, June 16.

An hon. member: Long live the NDP.

Motion agreed to.

POINT OF PRIVILEGE

Hon. Mr. McMurtry: Mr. Speaker, I rise on a matter of personal privilege in reference to a statement just made by the leader of the Liberal Party suggesting some cover-up. The question that was put to me by the Leader of the Opposition was in reference to the results of the audit.

That was with his question and I indicated at that time that I would see no reason why the results of the audit would not be tabled, as opposed to the audit itself. I find it most offensive for the leader of the Liberal Party to suggest there is some form of cover-up.

Mr. Nixon: We have been waiting months for this report.

Hon. Mr. McMurtry: All right, just hear me out.

Mr. Speaker: Order, please.

Hon. Mr. McMurtry: I was going to give an answer to the leader of the Liberal Party today, and that request was given late to the Speaker, to indicate the dimension of the problem.

The Browndale organization involves some 25 related companies carrying on business in eight different areas and regions in this province and some 90 properties in all are owned or rented. In order to pursue the investigation as suggested by the leader of the Liberal Party, a very arduous and meticulous task is required. I'm advised by my counsel that the investigation is ongoing but, in view of the scope that is required, the investigation will take some further time. I can give no assurance that any investigation will be completed before this House rises. But, Mr. Speaker, I think it is most improper to suggest that in the circumstances anybody on this side of the House is engaging in any form of cover-up.

Mr. S. Smith: Mr. Speaker, I will gladly reply to this.

Mr. Speaker: Very, very briefly, please.

Mr. S. Smith: Yes, I will be very brief. I certainly will gladly withdraw the cover-up comment. But I hope that the cabinet will appreciate that patience runs thin after four and five months of asking for the same report and the same information about public funds being spent in this province.

Hon. Mr. McKeough: You are persecuting that poor man over there.

Mr. Lewis: Oh, the Treasurer has had a bad day. Just forget it.

Mr. Speaker: Order, please. Let's get on with the business. Were there any further motions?

Hon. Mr. Welch: Yes.

Interjections.

Mr. Speaker: Order, please. We have a motion before the House.

Hon. Mr. Welch: I have a motion.

Mr. Lewis: Hold on. We are discussing the Treasurer's leadership.

Hon. Mr. McKeough: I am worried about your credibility. They keep tormenting you every day.

Mr. Speaker: Order, please.

Interjections.

Hon. Mr. Davis: Is the Leader of the Opposition subject to recall?

Mr. Breithaupt: Total recall.

Hon. Mr. Welch: Mr. Speaker, may I presume to move --

Mr. Lewis: Sit down until the exchange is over.

Hon. Mr. Welch moved that Mr. Maeck be substituted for Mr. McNeil on the select committee considering the fourth and fifth reports of the Ontario Commission on the Legislature and that Mr. McNeil be substituted for Mr. Maeck on the select committee on highway safety.

Motion agreed to.

Browndale Operations

Parliament 30, Session 3 June 15, 1976

[Hansard Transcripts 1976-Jun-15 | Legislative Assembly of Ontario \(ola.org\)](https://www.ola.org/hansard-transcripts/1976-jun-15)

Mr. S. Smith: One last question to the Minister of Health, Mr. Speaker: Is the minister aware that at this time as many as 30 Browndale Haliburton employees are seriously considering a mass resignation to take place at the end of this month, partly because of government delays in handling the Browndale issue? What steps is he planning to avert the departure of what would probably be the most experienced senior people in the whole Browndale programme?

Hon. F. S. Miller: Mr. Speaker, I'm aware of very real problems in the Browndale Haliburton programme. I'm aware that 32 children will be released to their homes very shortly in that particular area, having, in the opinion of Browndale, utilized or benefited from their programme to the maximum.

I am aware that our ministry has been having talks with Mrs. Brown and has recommended to her that she have a local board, similar to the one in Peterborough. Up to this point she has not been willing to do so. It's my opinion that this would be improved by such a board and I am going to encourage her. I have to point out I have no statutory rights to insist upon it. I'm looking at what rights I might have in other ways if co-operation and discussion don't solve the problem. If I think for one moment the children in that area are not getting the attention they deserve, then this government will act.

Mr. Nixon: Supplementary: Is the minister having any second thoughts on the long-established policy of the government in maintaining the services that have been established by Browndale over a number of years in the private sector? Is he giving it any consideration to making it a direct responsibility of either his ministry or some other?

Hon. F. S. Miller: It's a direct responsibility of my ministry. I'm so pleased that the member said second thoughts because he so seldom allows me to have first thoughts, or give me credit for them in any case.

Mr. Nixon: I give you all the credit you are due.

Mr. Samis: You walked into that one.

Interjections.

Hon. F. S. Miller: Once in a while, we'll give you one.

Mr. Bullbrook: Not a bad response.

Mr. Roy: That's very gracious of the minister.

Hon. F. S. Miller: The assumption from the Liberal Party that government should take over the provision of all services in the province is surprising. If it came from the other side of the House, I could understand it. It happens that a good quality of service is delivered by the many groups, not just Browndale, who are working with government financing but not directly as government employees.

Mr. Shore: When is the audit going to be released?

Hon. F. S. Miller: I would hate to see this government have to run every single operation. There is only one net result.

Mr. Haggerty: You are running them now.

Mr. Peterson: So would we.

Mr. Speaker: Order, please. This is not contributing anything to the debate.

Hon. F. S. Miller: Once government has to run the functions, we become bound to many rules and regulations that do not apply in the private sector. The volunteer component often disappears, the staffing ratios change and the service and quality do not necessarily improve.

Mr. Speaker: The hon. member for Victoria-Haliburton with a final supplementary on this.

Mr. Eakins: Supplementary: Would the minister not agree that this mass resignation would signal the opportunity for Browndale to close down the operation in Haliburton, which is something they probably have been wanting to do? What steps is the minister taking to make sure that this remains open?

Hon. F. S. Miller: Each specific location is covered by regulation. It designates exactly where the children may be, right down to street and lot description if possible. This is the change we made a year or two ago so that we could control where the services are delivered. I suspect they would not be permitted to do that under our current regulations.

If they, in fact, close down those operations, we probably would have the right to turn them over to somebody else.

Browndale Operations

Parliament 30, Session 3 June 17, 1976

[Hansard Transcripts 1976-Jun-17 | Legislative Assembly of Ontario \(ola.org\)](http://ola.org)

Mr. S. Smith: I would like to ask a question of the Minister of Health. I imagine he has received the mass resignation letter of 26 Browndale Haliburton employees, and I would like to ask him whether he is going to act in view of the letter. It says in part, and I quote: "A programme which places priorities upon a leasing of airplanes and empty buildings to the detriment of the aforementioned" -- meaning the children -- "certainly needs to be questioned, and this is what we have done." The letter goes on to mention, among other things, "that we no longer find it

possible to work in a programme whose director and board function in a manner which is diametrically opposed to those ideals which we have worked for many years to instil in the children in our care.”

Hon. Mr. McKeough: What is the question?

Mr. S. Smith: In view of this rather upsetting situation, is the minister prepared to act to take care of the children in that area?

Hon. F. S. Miller: Mr. Speaker, one of the reasons I was late for question period today is I was pursuing some of the very points the member has just mentioned. My first responsibility, of course, is to the children. I checked the Act to see what rights I had as a minister. I have had these interpreted to me today. I am quite willing to test that statute if necessary, if it is a bit vague. I think the members would be on my side if I took that kind of action. And if our evidence is that the children are at risk because of staff leaving and not being replaced by qualified people, I am quite prepared to move in.

Mr. S. Smith: By way of supplementary -- and I am pleased with the minister's answer -- may I ask him if he could be a little more specific in how he would move in; and also whether he could assure us that the uncertainty that has arisen around Browndale will be taken care of swiftly, rather than by a series of delays, which have now gone on for several months?

Hon. F. S. Miller: Mr. Speaker, first I would have to act within the law.

Mr. Peterson: Not like anybody else over there.

Mr. Reid: You didn't in the hospital closings. Why start now?

Mr. Acting Speaker: Order.

Hon. F. S. Miller: If my law --

Mr. Peterson: Don't try Roy as a lawyer, either.

[2:30]

Mr. S. Smith: At least the only court I lose in is a tennis court.

Mr. Roy: You didn't in the hospital closings.

Mr. Acting Speaker: Order please.

Hon. F. S. Miller: Yes. I don't even have the opportunity to lose on the tennis court any more. I just bat the ball around in here.

Mr. Roy: That might be good enough to beat the Premier.

Mr. Shore: I will take you on, Frank.

Hon. F. S. Miller: Seriously, Mr. Speaker, I have to take legal advice on what can be done. There are a number of alternatives. One of them, obviously, was the creation of a local board and that would seem to be one of the best alternatives to pursue, either with or without the co-operation of the existing organization.

Estimates, Provincial Secretariat for Social Development

Parliament 30, Session 3 June 21, 1976

[Hansard Transcripts 1976-Jun-21 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: I wanted to share a few thoughts with the minister with regard to the whole concept of having a ministry which could co-ordinate the activities of Health and Social Services in particular, although I realize that her realm, in theory, extends beyond that.

There are so many matters which have to concern a thinking person in Ontario today and in which the problems seem to be, at least in part, due to the boundaries that exist between the various ministries. I wasn't in politics at the time but when I heard that policy development secretariats and co-ordinating secretariats were being set up I was rather pleased because I saw this as having the potential actually to deal with some very thorny problems in which more than one ministry happens to be involved.

Frankly, I have been very disappointed because I don't believe that this minister's secretariat has effectively come to grips with the need to co-ordinate Health on the one hand with Community and Social Services on the other. I might, without reaching the point of boredom, I trust, touch on one or two points, where I think this could have been achieved and hasn't been achieved.

Let me mention, first of all, the whole matter of group homes -- the non-institutional type of care located in a community where one of the principles is that the peer relationship between various

people receiving the treatment and the structure required therein is an important part of the rehabilitative process. We are seeing in our time a move away from institutional care. We are seeing in our time a move away from the expense and the institutionalism that occurs when we put large numbers of people into large treatment facilities.

The trend is certainly, and it should be, toward group homes, half-way houses and various rehabilitative attempts in the community itself rather than away from the community. This province should be taking the lead in developing a coherent philosophy about group homes; a coherent inventory on the kinds of people presently being treated and dealt with in group homes and the kinds who might potentially be dealt with there.

This province could be taking a lead in the costing of these group homes as opposed to institutionalization. Instead, what we see are four separate ministries dealing in group homes, mostly Community and Social Services but also, as the minister knows, Correctional Services, Health and, to a very minor extent, Education. There is good reason to believe that the type of person treated in these various group homes really does not differ very much from ministry to ministry. There are some differences, of course, but they are not very striking compared to the differences in budgetary arrangements between the ministries, the differences in licensing arrangements, the difference in inspection and, of course, the general difference in terms of finance.

I feel that one of the things that this minister should have been doing is coming to grips with the matter of the various non-institutional arrangements which I group under the name "group homes," even though some of these semi-institutions may not fit exactly under that. We should have had a philosophy and a set of criteria which would apply across the board so that we wouldn't find ourselves in the shocking situation where, for instance, Browndale can charge \$64 or \$65 a day and convince people that they are getting a bargain, because they compare that with the rates --

Mr. Lawlor: Browndale is an obsessional matter with you.

Mr. S. Smith: My goodness, I touched a nerve there. I have disturbed the member's sleep; I apologize to him.

Mr. Deputy Chairman: Order.

Mr. Lawlor: You are one of the very few people around here with an obsessional demeanour.

Mr. R. S. Smith: The hon. member doesn't even know what my leader is talking about.

Mr. Deputy Chairman: Order, please. The hon. member for Hamilton West has the floor.

Mr. Lawlor: Is Browndale an obsessional neurosis, doctor?

Mr. Deputy Chairman: Order, please.

Interjections.

Mr. S. Smith: Mr. Chairman, I may be an expert in the jargon, but I'm sure the hon. member is an expert in the neurosis itself, so I certainly yield to him.

Mr. Lawlor: We have other neuroses, thank you.

Mr. S. Smith: It is quite pathetic that we should have a situation where something like Browndale could claim that \$65 a day is a bargain when, for instance, as the minister knows very well, the type of child referred to Browndale is frequently no more disturbed, and even less so, than many of the children taken care of in some of the other group homes around the Province of Ontario.

Interestingly, the group homes under the administration of Correctional Services and Community and Social Services are, in my view, giving Ontario good value for the dollar. There are one or two instances we might question about the licensing and so on, but generally they are giving good value for their dollar. Yet your ministry really has failed to take advantage of their experience. In the realm of health, the separation between Health and Social Services might as well be a 10-ft wall, because you are not bridging that gap; you are not bringing them together under one philosophy; you are not a minister of human resources, as you should be. Instead, you are standing back and watching these various solitudes exist and go their own way. The chaos which has resulted is directly attributable to the fact that you have not co-ordinated between them.

What you have done is you have obtained an interministerial report, a task force report, which deals with this matter -- and I have reason to believe it deals with it rather effectively -- but you have suppressed that report. That report, the Anderson-Magder report, has been done for several

months, and you have suppressed that report. If you say you haven't, then the ministers under you have. Part of your job is to take interministerial reports and make them public so that we can see the advantages of a co-ordinating secretariat, a policy secretariat. Instead, you sat back and dealt with some of your advisory councils and so on -- and I'm not here to knock them -- but you haven't done anything to draw together the disparate activities of a related nature among the various ministries.

Let me give you another example. You know very well that acute hospital beds are tremendously expensive, and we know the difficulties this province has undergone recently as the Minister of Health (Mr. F. S. Miller) has tried to deal with those in a way which we needn't go into here at any length. But homemakers' services, which in themselves can serve to reduce the pressure on acute hospital beds, come under Community and Social Services; again, there has been no real effort to deal with these in a co-ordinated fashion.

[9:00]

The same goes for old age homes and nursing homes; the old age homes under ComSoc and the nursing homes under Health. The fact is, any backup which occurs in one of these is going to be transmitted one way or another, directly or indirectly, into the other. It will be backed up in the social system and backed up into the health system where it is usually extremely costly and very wasteful.

You haven't done the job which needs to be done. I don't say it is a simple one. I don't say this is a personal attack on you. Your ministry has not, in fact, taken hold of these borderline areas where the one field spills over into the other and come up with a co-ordinated, sensible approach which could be grasped and understood by all levels of government.

I might mention mental retardation as another typical example. As you know, mental retardation was plucked from the Ministry of Health and put into Community and Social Services. I am not quarrelling with that, I think it has some merit. But even then people in the field understood there are certain health aspects to mental retardation, not the least of which was the one we hear about in a somewhat sensational way lately, namely the fact that only in the health field are you entitled to hospitalize someone against his will due to mental incapacity or being a danger to himself or

others. Once you take these people out of the health field, there is no longer any mechanism for hospitalizing somebody against his will.

The field of mental retardation happens to straddle very neatly the border between the areas of health and social service. You need some of the aspects we normally apply to mental illness to apply also to mental retardation, while at the same time not defining them as the same.

That requires co-ordination and you haven't done that. We are left with a mental retardation policy which, even without going into it in detail, because that should more properly be done not in your estimates but in those of the Ministry of Community and Social Services, but in this particular aspect it fails miserably. It fails because of the aspect which requires that someone straddle the fields of health and social services to bring together the concepts which are germane to mental retardation in each of those areas. By not doing that, by saying it either must be black or it must be white, we now find ourselves with a situation where we have the sad events of Huronia. We have a full mental retardation programme called into very unfortunate question at a time when we should be gaining community co-operation, not frightening the daylights out of people.

That, again, is because of this holus-bolus idea. You are either Health or you are ComSoc; which one are you going to be? One shouldn't have to choose. It should be possible -- and your secretariat is the organization that I thought might have been able to do this, your co-ordinating ministry should have been able to do this -- it should be possible to find a way to co-ordinate between health and social welfare in the old sense.

ESTIMATES, MINISTRY OF HEALTH

Parliament 30, Session 3 June 22, 1976

[Hansard Transcripts 1976-Jun-22 | Legislative Assembly of Ontario \(ola.org\)](http://www.ola.org/Hansard/Transcripts/1976-Jun-22)

Apart from the prepared statement, I wanted to refer, if I may, to the Browndale situation and the request that the auditors' study be summarized in this House, since this is my last opportunity to

do so. While I haven't got a prepared statement, I'd like to sketch out the information given to me.

I might indulge the interest of the leader of the Liberal Party because I'm going to talk about Browndale right now and I thought perhaps he might want to hear it. As you know, the internal auditors of the Ministry of Health have looked into the Browndale situation; at the same time, I understand the Attorney General is looking at certain aspects of the Browndale operation. I can't speak for those things taking place in his ministry because I'm not aware of them in detail.

However, I can summarize our ministry's findings. I'm going to read parts of the report to me.

Our auditors found three areas in question when they looked through Browndale's expenditures and accounting methods. The first was the overcounting of children days. As I'm sure you know, they are paid on a certain per diem per child in care. Browndale has overcounted the number of patient days by 145 in 1974 and 161 in 1975. These were included in the days they reported to us and they were paid at the approved per diem rates. Overpayment amounts to \$8,700 in 1974 and \$10,600 in 1975, for a total of \$19,300. As this is an incorrect count of days, we have requested the money back from Browndale and I understand it will be paid.

I'll digress a second to point out they were counting the day of arrival and the day of departure in their days and that is not according to regulations, You count either the one or the other but not both.

The second issue was expenditures on houses in Don Vale. The auditors found that in 1974, Browndale Ontario had entered into a lease for 10 houses in the Don Vale area. These houses were on Winchester St., Sumach St. and Gerrard St. A number of expenditures were made for rent, taxes, furniture and equipment and property improvement. These totalled \$368,810 on the 10 homes. Browndale Ontario paid for these expenditures out of the funds which were flowed to them on the per diem rate; they weren't extra moneys given to them.

[10:30]

At this point, our ministry questioned whether that was the appropriate use of the per diem money. Now, as you know, if a person is paid money on a per diem there is no specific requirement that it go for a particular part of the programme. Our auditor stated to Mrs. Brown

that he did not consider this to be an allowable cost under the regulations, and that a refund should be made to the ministry. Mrs. Brown has stated to us that she's consulted her lawyer, and that, in his opinion, the amount paid on a per diem basis was a global amount as the price for their services and that Browndale had discretion as to how it should be used for the programme. This may well be the correct assessment, but this is under discussion right now. I would have to point out to the House that there is no question our ministry encouraged Browndale to believe that some of those homes would be licensed two years ago, because it was part of our urban re-entry programme and we felt homes had to be provided for children who were otherwise in areas like Haliburton, closer to their homes and more adaptable to the city environment.

The purpose, as you know, of the four-phase programme is perhaps to get children out into the country for a while who need to be stabilized, but before they can return to their parents they often require some time in residence in a city environment. I can safely say though that the reaction of the community of Don Vale, through the Don Vale residents association and ratepayers association, was such that this ministry did not move forward with the licensing of those homes.

The last issue that the auditor referred to was the question of the management contract with Browndale National, and the possible duplication of payments by Browndale Ontario, I believe, in the Browndale budget, something in the order of \$900,004 in a year is paid from Browndale Ontario to Browndale National for training services and for professional help. Our concern was that, in fact, that money may have been transferred without services being given in return. This was the point on which we were waiting for extra information.

We requested details from Browndale Ontario as to the names of the people on the payroll of Browndale National and Browndale Ontario during the periods in question. That information was given to us last week, partially by Browndale National, partially by Browndale Ontario. I can say a quick perusal of it would seem to indicate that there was no incorrect billing. I'm going to reserve final judgement, since the last papers just arrived Friday morning, until the auditors have had more opportunity to review carefully the exact names and, if possible, the salaries attached to them so that we're satisfied on that.

Browndale remains at a per diem rate in the range of \$65.94 per child per day. The highest rate that we pay to similar organizations is \$84.29 a day; the lowest rate we pay is to Youthdale at \$36.28 a day, and Browndale is just about in the middle of that system. Of the \$65.94 paid per day, \$61.45 is for residential care, the balance is for outpatient care.

ESTIMATES, MINISTRY OF HEALTH (CONCLUDED)

Mr. S. Smith: ...

I want to make a few comments about Browndale; but that's a subject we should go into at some length and I'm afraid the time doesn't permit me to do so. I do want to say that the report given to the House this morning by the minister doesn't do too much to reassure me. As far as the houses in Don Vale, in which \$368,810 was spent, it is not clear to me from whom these houses are being leased. I would like to know, for instance, whether the houses were being leased from Browndale interests or from the interests of people who themselves were instrumental in setting up Browndale. I think it's also important to know about this management contract, which is sending close to \$1 million a year into Browndale interests. Why should such a contract be acceptable here in Ontario and not acceptable in places like Illinois? It seems to me inconceivable that the government should be paying a per diem to an organization that farms out its management. I don't think we've heard proper answers on this. I'd also like a little more about the audit itself, how far back it went, whether it dealt with the 1973 situation, in which the salaries were listed for creating the per diem rate -- and a number of other issues?

I would like to read the letter that Karl Jaffary -- who, as you know, is certainly not a member of our party -- wrote to the Globe and Mail, in which he said:

"Browndale is a non-profit corporation which leases houses it occupies from companies controlled by the original promoters of Browndale. The houses are frequently bought specifically for the purpose, and the result has been that the principals of Browndale have been able to buy very expensive real estate holdings, which have been paid for out of the rents that are in turn a part of the \$7.3-million a year paid by the taxpayers to Browndale. If that is the consistent method of operation you'll appreciate the reasons for the delay --"

And he was going on discussing the delays in relocating the children.

We have now, of course, the Haliburton situation where there has been a mass resignation. I wonder if the ministry is planning to let that excellent staff carry on on its own in a separate situation and take over the Browndale quota in that area?

I also wonder if we can be guaranteed that Browndale will be given no increase in its per diem and how the minister can stand and say that \$65 is a bargain when Youthdale can get away with \$36, or it's in the middle -- or whatever. Youthdale can get away with \$36, and Community and Social Services have many places that have people just as disturbed as the ones in Browndale, getting just as good care for half of the \$65.

So basically, I'm afraid the minister's opening remarks raise more questions and answers, and I hope later on in the debate to go into great detail in each of these areas that we've touched on. But with these particular remarks I'll conclude my comments for this morning.

....

I want to move for a moment back to the question of the children's mental health services branch and make a little clearer some of the comments that I touched on earlier in the day, regarding the situation in Browndale with the tremendous leases that are involved. I would hope that the minister is prepared to answer the question about these leases.

Is it not a fact that the ministry has had to approve all the Browndale leases? Isn't this something which goes as part of the arrangement with Browndale? Did the audit indicate any conflict of interest in the leasing? In other words, would you not agree that many of the leases were, in fact, being arranged with people who were the same principals as those who are operating Browndale and receiving a salary for doing so?

I notice you say that in looking at the per diem money there is the question as to whether the people in Browndale National were the same people who are on the list of Browndale Ontario, and that's the only comment you make with regard to this business of contracting out the management. Are you convinced, Mr. Minister, that when Browndale Ontario contracted out its management to Browndale National that it was, in fact, getting management services for this worth \$1 million a year?

Are your suspicions aroused at all that the houses being leased by Browndale are frequently being leased from other Browndale interests, and that they were, in turn, purchased from other Browndale interests, which in several instances in turn were purchased from several other Browndale interests? Are your suspicions aroused at all about this? There is a so-called management team that operates in the Browndale situation in Browndale Ontario. I am just trying to find the list of people on that. Here we are. Brown Camps' residential and day schools in Browndale Ontario, and there are some names on this management team that are certainly involved as far as we can make out with Browndale National and we wonder whether in fact you have taken any steps to follow these particular names.

There's, of course, Debbie Brown herself and Marvin Brown, it goes without mentioning, and then there's one Earl Heiber and Leonard Marvey who might in fact be involved with that as well. Basically, I have a list of the so-called members of the management team of Brown Camps' residential and day schools. Can you really explain to me, and through me to those interested members of the public in the Province of Ontario, why it is necessary for the Province of Ontario to do business with a group that contracts out its management, that is allegedly a non-profit group and yet leases its facilities from clearly related individuals?

Surely if this were the case in any other situation you would have acted long ago? When I operated a unit at St. Joseph's Hospital, if in addition to my salary I was also making sure that all the bed sheets at St. Joseph's Hospital and all the parking facilities at St. Joseph's Hospital were all dealt with by my other companies, and if these other companies made sure to charge prices that were based on our expenses, and if these expenses were based on the fact that we bought the bed sheets from several other of my companies, I suspect that you would have raised a fair amount of furore about this.

This is supposedly part of the health branch, this is supposedly a treatment service, and I think it's really shocking that it should be permitted to carry on without the proper scrutiny. The Leader of the Opposition (Mr. Lewis) at one point said he would like to see the results of the audit. I want to see the audit itself. I want to see the actual figures in that audit. Your refusal to do

so is about the same as the refusal of the Attorney General (Mr. McMurtry) to act even weeks after we had presented him with information.

Can the minister tell me whether this audit takes into account 1973? Can the minister tell me whether, in 1973 when Browndale was coming up with a figure for a per diem and listing its salaries and expenses, those salaries and expenses were checked against 1972 and early 1973 to see whether there was any unusual change in the figures to justify a higher per diem?

With regard to those centres which are charging less than Browndale, is the minister able to tell us that those centres are treating people who are less disturbed or are they giving less beneficial treatment? How is it that they can manage to function for less money than it costs Browndale?

What is the minister's explanation for that? I will wait for answers on those particular matters.

I personally feel that plenty is rotten in the whole children's mental health services branch if they can spend \$65 and \$85 a day on these services without any proof that the children there are getting much better care or are much more disturbed or need much different or more complex care than those in some of the group homes under Community and Social Services for \$32 a day. I think it is shocking that this should be persisting in this way.

I want to know why the interministerial report which has looked into precisely this matter -- and which I suspect exonerates Community and Social Services and points the finger of blame at Health -- is being suppressed and kept from this House. Perhaps the minister would care to answer some of those questions.

Hon. F. S. Miller: I didn't answer one specific point. There were two things that we had done.

The first is admitting that obviously inadequate input was used. We are having a fairly competent outsider look over the input data and give us advice on it.

Second, yes, staff changes were made. I think it's understandable that there would be. I don't know that I would try to lay blame at staff's door. I said this morning that, in fact, it was a new venture. It was an attempt to be specific rather than using an across-the-board cut for everybody. We think it had its failures, but it also got us a number of specific savings that the old approach would not have achieved.

You got on to Browndale and a good deal of your argument centres around the arm's-length or the non-arm's length nature of the leases. Today, we no longer are concerned about the rents they pay for homes, because we're not basing the per diem on them. We're simply taking last year's budget and giving them a small increment on that basis -- and I would think quite small in this case this year.

Mr. S. Smith: How much?

Hon. F. S. Miller: It hasn't been negotiated yet.

Mr. S. Smith: More than 5.5 per cent?

Hon. F. S. Miller: Eight per cent is the Ministry of Health's guideline.

Mr. S. Smith: But they are competing with ComSoc's housing?

Hon. F. S. Miller: Okay. As far as the different rates go I think a good argument can be made for some standardization of rates across the field. But up to date, people like yourself, who are specialists, claim that each model is different. They've argued strenuously for the uniqueness of the model they function with. I'm not willing to argue that I believe that. I'm quite willing to say that I think some standardization should occur, and try to work towards those ends.

I think the question of whether or not the prices paid for rent to Browndale interests for properties rented is properly the subject of the Attorney General's investigation, and I think he will be reporting on that once he's finished.

You asked one last question. Our information is that Browndale, in fact, does take more children with severe emotional distress than some other groups although you know how hard that is to assess sometimes.

[4:30]

Mr. S. Smith: Just a last brief point on Browndale. Is it true that the Browndale quota in Haliburton -- I asked this this morning and perhaps it has been forgotten -- might be reduced to 30 from 50 and that there might have been letters sent out to parents in Ottawa saying that an Ottawa Browndale programme might be started? Why should they be allowed to expand their quota as long as the present situation exists? What are the chances of a new programme in Haliburton?

Hon. F. S. Miller: I don't know anything about Ottawa except that I talked to one of the unhappy Browndale employees from the Haliburton area who was attempting to move to Ottawa with the staff which had quit in Haliburton, and set up a competitive venture there. That's all I know; it had nothing to do with Browndale itself. It was competitive to Browndale.

....

Mr. Haggerty: I was interested in the comments of the leader of the Liberal Party this afternoon concerning the Browndale operations here in Ontario and, in particular, as it relates to the audit. I was most interested in the information that was given to him by the minister as it relates to the per diem rate for the care of the youths at this particular institution of \$65 per day. I thought that was rather high in comparison to the Durham Hospital, as I understand the per diem rate there is \$70 and you're getting nursing care 24 hours a day.

It just seems there's no justice in the system here. Perhaps the leader of the Liberal Party was right in asking for a complete review of the operations of Browndale. I suppose if one looks at the figure of \$65 a day, for a youth to be in that institution for perhaps one year would cost almost \$25,000 a year, and that raises a question.

I have a newsletter from concerned parents in the Niagara Peninsula about the facilities at the Niagara Centre for Youth Care, and that deals with the emotionally disturbed child or student or youth in the area. It's a letter from D. N. Teasdale of the Ministry of Health, directed to Dr. G. M. Poulakakis, chairman of the Niagara Centre for Youth Care at St. Catharines, Ont. The letter goes on to say:

"Thank you for your letter of March 8, 1976, regarding the Niagara Centre for Youth Care. I am responding to your inquiry on behalf of Mr. Chatfield, assistant deputy minister, who is out of the city and in my new capacity as general manager of the direct services division.

"I have conferred with Doug Finlay, director of the children's mental health services branch and he has strongly reaffirmed his support of your proposal for a teenage service system in the Niagara region. Unfortunately, the Minister of Health has been subject to rather serious financial constraints and I regret very much that all expansion plans in the children's mental health sector have had to be curtailed."

[5:00]

I find this letter rather disappointing. If there was ever an area that needed additional facilities dealing with mental health services, it is the Niagara region. When I look at the picture that's presented here this afternoon in the Ontario Legislature, that it could cost \$25,000 a year to look after a youth under the Browndale system in Ontario, I would have to question that most sincerely. There must be something wrong with the operations there. That \$25,000 would go a long way to help in the Niagara region with a centre there, which is lacking. Thank God that we have had LIP grants that provided assistance in this particular programme in the area. But I say this much, there is definitely a need in the Peninsula for additional health care services for the youth of the area, particularly those who want to go to a centre for perhaps two or three hours a day or something like that. I mean people who really need help, mental help. I find that there is very little in services that are offered to them today. I would appreciate if the minister would take into consideration some of the suggestions that I have presented to him this afternoon and provide the Niagara Peninsula with additional funding.

Hon. F. S. Miller: Mr. Chairman, first of all we had approved in principle the Niagara programme, but I wonder if the member knows that the original budget was in the order of \$1 million a year.

Mr. Haggerty: That was for a new centre.

Hon. F. S. Miller: That was the annual operating budget.

Browndale Operations

Parliament 30, Session 3 July 15, 1976

[Hansard Transcripts 1976-Jul-15 | Legislative Assembly of Ontario \(ola.org\)](https://www.ola.org/hansard-transcripts/1976-Jul-15)

Mr. S. Smith: A question for the Attorney General, a brief one on Browndale: Is he in a position to tell us the results of the Ontario Provincial Police investigation into the fact that Browndale Ontario has been leasing from a profit-making parent company? I believe the rackets division

was looking into this. Could he give us any report on this now that the audit has been available for some time?

Hon. Mr. McMurtry: Mr. Speaker, I've had no recent report in relation to this investigation. I'm afraid I have no information that would be helpful to the House at this time.

Mr. Eakins: Why doesn't the minister release the document?

Browndale Operations

Parliament 30, Session 3 October 28, 1976

[Hansard Transcripts 1976-Oct-28 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: Can the minister tell us exactly what the policy is in his ministry regarding the direct purchase of property, instead of leasing, by Browndale? Is direct purchase of property happening and under what authority can Browndale seemingly use operating per diem moneys for those capital acquisitions?

Hon. F. S. Miller: Mr. Speaker, I don't know that we've ever had any policy on whether Browndale owned or leased property, nor do I believe we should. The real question is whether we're getting value for the care rendered and since we went to a per diem basis the question of the actual cost of the property has gone into, I'd say, a less important area. Certainly, in the days prior to a per diem it was a critical factor because it was built into the cost.

Since we went to per diem their method of obtaining property is not important, except in the Attorney General's investigations, should it be improper in some legal or criminal way. I'm not really aware of the investigations there so I can make no comment on them.

We are only concerned with the average per diem for the place. This year, believe it or not, it's only three per cent more than last year. list.

Mr. S. Smith: A supplementary. Is it not a fact that the ministry must be given some approval to such purchases and to leasing arrangements? Is it or is it not a fact that the ministry has to approve any lease entered into by Browndale?

Hon. F. S. Miller: I'm not sure we approve the details of a lease. What we do have to do is approve the location and that is true of any person licensed under The Children's Mental Health Act.

Mr. S. Smith: A final supplementary, if I might: Can the minister explain to us, if it's simply a matter of making sure, as he said in a letter to me and as he just said to the House, that the quality of care supplied is satisfactory and making sure that the price is reasonable, there is any reason to insist that Browndale be a non-profit organization? Why not simply allow them to make the profit, since he doesn't seem to mind if they lease from their own profit-making arm?

Hon. F. S. Miller: I assume that the ideological background of the owner of Browndale would prevent him from making a profit.

Mr. S. Smith: What kind of an answer is that to a serious question?

Mr. Breithaupt: That is not even funny.

Hon. Mr. Davis: He is the only one in the group that has that reservation.

Interjections.

Browndale Operations

Parliament 30, Session 3 November 5, 1976

[Hansard Transcripts 1976-Nov-05 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. Breithaupt: A question of the Attorney General, Mr. Speaker.

Can the Attorney General advise us what steps he has taken to investigate the situation brought forward by the member for St. George regarding the possible assessments of the Peel family court of Browndale, and the resulting placement in Viking Homes which has financial and other ties to Browndale?

Hon. Mr. McMurtry: As the member knows, Mr. Speaker --

Mr. Mancini: Steve is one of the shareholders.

Hon. Mr. McMurtry: -- there is an ongoing investigation into the financial affairs of Browndale. Dealing specifically with the hon. member's question, as I explained to the member

for St. George (Mrs. Campbell) the matter of referrals by a family court judge is a matter solely within the jurisdiction of a family court judge. The Ministry of the Attorney General has absolutely no authority either to advise, direct or otherwise interfere with the judge's discretion in that regard. Obviously this is well understood or should be by the member for St. George in view of her own experience.

COST OF VIKING HOME REFERRALS

Mr. Breithaupt: A question to the Minister of Community and Social Services, Mr. Speaker. Considering the large bill that the region of Peel is faced with, nearly \$1 million this year alone, due to the referrals to the Viking Homes, is he considering any changes in the financial structure which would relieve some of this financial pressure on the region?

Hon. Mr. Taylor: Yes.

Mr. Breithaupt: Can the minister advise when he might report to us on those changes?

Hon. Mr. Taylor: When any change is worked out it will be announced at that time.

Hon. Mr. Davis: We might even announce it to the region of Peel.

Mr. Breithaupt: I am sure that would be well received in the region of Peel, Mr. Speaker.

Browndale Labour Dispute

Parliament 30, Session 3 November 8, 1976

[Hansard Transcripts 1976-Nov-08 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: A question for the Minister of Labour, if I might: Has the minister some comment to make about the fact that employee dissatisfaction at Browndale has now come to the point where for the second time in a year they're applying to the Ontario Labour Relations Board, complaining about the anti-union attitude of the Browndale employer, and has she discussed with the Minister of Health any implications this might have for the quality of care and the atmosphere in the Browndale institution?

Mr. Mancini: Let the member for Scarborough West (Mr. Lewis) look into it.

Hon. B. Stephenson: Mr. Speaker, the matter is before the Labour Relations Board which, as each member of the Legislature knows, is a quasi-judicial body and I do not interfere with its deliberations. When they have made their decision, I'm sure that this will be being discussed with the chairman of the board -- the basis of their report and their deliberations -- and if it is necessary, I shall most certainly discuss it with the Minister of Health (Mr. F. S. Miller).

Mr. McClellan: I have a supplementary to the Minister of Labour: I understand that there has been a delay in the completion of the report by the Ministry of Labour investigator looking into this labour dispute, and I would ask the minister to look into that matter and find out whether, in fact, the investigator is meeting the deadline for the hearing, which is scheduled for later this month?

Hon. B. Stephenson: The investigators of the Ontario Labour Relations Board are, in fact, employees of the Labour Relations Board rather than specifically of the Ministry of Labour, but I shall most certainly inquire about that.

Browndale Operations

Mr. Eakins: A question of the Provincial Secretary for Social Development. In view of the absence of the Minister of Health I am sure the senior minister can answer this question for me. Considering the fact that many of us have received letters from Mr. Ian Sorbie concerning legal expenses incurred by Peterborough parents and others when they sought an injunction preventing Browndale from closing its programme, is the minister reconsidering the refusal to assume these expenses?

Hon. Mrs. Birch: Mr. Speaker, through you to the hon. member, that's an internal matter within the Ministry of Health and I would respectfully suggest that the member refer that question to him when he is in the House.

Mr. Eakins: A supplementary: I would like to ask the minister if the minister has conferred with her and told her about the problem? Also, in view of the fact that his ministry did nothing but sat back and forced the parents to seek the injunction, does she not think it right that the ministry

assume these costs considering that its oft-repeated claim is for the programme and for the children? Personally, does she not think this should be assumed?

Hon. Mrs. Birch: Mr. Speaker, through you to the hon. member, I am not familiar with all the aspects of that particular problem. I would suggest that the member speak directly to the Minister of Health.

Viking Homes

Parliament 30, Session 3 November 18, 1976

Hansard Transcripts 1976-Nov-18 | Legislative Assembly of Ontario (ola.org)

Mr. S. Smith: I'd like to ask a question of the Minister of Community and Social Services: In light of the strong criticisms by a labour referee regarding the Marshall Children's Foundation operating Viking Homes, in which he said: "The Foundation showed complete disregard and contempt for the legislative intent and purpose of The Employment Standards Act," how is it that the minister continues to operate and accept under his ministry a series of group homes which he deals with? They are improperly inspected and labour standards and other standards are disregarded. When is he actually going to move to clean up the whole group home situation in the province of Ontario under his ministry?

Hon. Mr. Taylor: Mr. Speaker, for the information of the leader of the third party, my ministry does not operate these group homes.

Mr. S. Smith: You deal with them.

Interjections.

Mr. S. Smith: Can the minister assure this House of two things? Can the minister assure this House that we're finally going to get our hands on the interministerial study he has been looking at for the last eight months detailing all aspects of group home care in this province? Secondly, can he give us some assurance that he will not deal with and will not fund, directly or indirectly through his ministry, any group homes which are not thoroughly inspected and which do not totally meet the employment standards of this province?

An hon. member: That's a fair question.

Hon. Mr. Taylor: Mr. Speaker, in answer to the first part of the question, I think the member is referring --

Mr. Good: Send it in a plain brown envelope.

Hon. Mr. Taylor: -- to the interministerial report dealing with residential care which is currently being discussed and considered by the policy field. If he wishes to question that further I would ask him to direct his question to the Provincial Secretary for Social Development because that report is under her aegis.

Mr. R. S. Smith: You had it first.

Mr. S. Smith: Are you keeping it as a souvenir?

Mr. R. S. Smith: She says she doesn't have it.

Hon. Mr. Taylor: With regard to the group homes of which the member speaks, they are utilized by various agencies. We don't deal with those directly, although of course we fund the municipalities that may use those particular homes.

Mrs. Campbell: Sure, but you don't care how they are run.

Mr. S. Smith: Supplementary: Can the minister assure us he is going to insist on inspection for all group homes that are funded directly or indirectly, including those that have only a few residents therein? And can he assure us that he will refuse to deal with any organizations that do not accept and obey the labour standards, the physical standards and all other standards of his ministry and of the Ministry of Labour in this province?

Hon. Mr. Taylor: It goes without question that the --

Mr. Mancini: Why didn't you say that before?

Hon. Mr. Taylor: Well absolutely; certainly the group homes have to meet the standards, whether they be health standards, fire standards or labour standards.

Mr. Speaker: Any further questions from the member for Hamilton West? The member for Carleton East then.

Psychological Assessments

Mrs. Campbell: Mr. Speaker, I have a question of the Minister of Health. Could the minister tell us whether Browndale Ontario provides family court with psychological assessments on children, some of whom are ending up in Viking House, an organization with financial and other ties with Browndale, and whether they derive an income from this work?

Hon. F. S. Miller: Mr. Speaker, I would need to look into that matter. I sought information on it a week or so ago and I can't recall it clearly enough to give her an answer. It may be an indication of my age.

Mrs. Campbell: I won't take that as having no validity, Mr. Speaker. When the minister is investigating this for an answer to me, would he also check, for his own purposes and for the purposes of reporting to the House, who is doing the assessments as suggested, and whether or not these are done by students who are approaching their Ph.D. in education and not trained psychologists?

Hon. F. S. Miller: Mr. Speaker, I know there are some students involved and I know this is being done as part of a training programme, but I understand it is always under the supervision of a qualified person and no charge for the student's work is involved.

Mr. Speaker: The Solicitor General has the answer to a question asked previously.

Viking Homes

Parliament 30, Session 3 November 19, 1976

[Hansard Transcripts 1976-Nov-19 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. Breithaupt: A question, Mr. Speaker, to the Minister of Labour following the questions of my leader yesterday with respect to the Marshall Children's Foundation and Viking Homes. The questions at that point were placed to the Minister of Community and Social Services (Mr. Taylor).

Following the response of the Minister of Community and Social Services that he has no particular responsibility with respect to The Employment Standards Act and the complaints of the staff in these homes, will the minister now proceed to step up inspection of these particular homes to avoid any difficulties of staff exploitation which have been brought to our attention?

Hon. B. Stephenson: Mr. Speaker, under The Employment Standards Act regular inspections are not carried out. If an inspection is found to be necessary it is carried out as a result of a complaint.

I think the hon. member should know that the Ministry of Labour, in conjunction with social workers and other interested groups, those involved in child care, as a result of certain problems which have been raised this year has been having discussions about the specific employment standards which should apply to child care workers. This is a special problem area which is being examined in depth by the Ministry of Labour in the hope that we will be able to develop appropriate standards for child care workers which may not be identical to other workers because of the specific requirements of that job.

Mr. McClellan: A supplementary: Since the Ministry of Labour is examining this matter within the Resources Development field and I understand the other ministries within the Social Development policy field are also examining the same matter, apparently in isolation from the work that the minister is doing, would it not make sense for the two groups to get together not just to look at the question of child care standards but also at the other question of per diem fees for service, purchase contracts and fees?

Hon. B. Stephenson: The discussions are not being held in isolation. There is most certainly communication between the two groups and there will be interaction as well.

[10:30]

Mr. Breithaupt: I have a question of the Attorney General, again with respect to the Viking Homes situation. Has the Attorney General taken any additional steps to investigate the possible conflict of interest which may exist concerning the placing of children in Viking Homes after the court-ordered assessment has been attended to by Browndale, an organization which of course has financial and other ties to Viking?

Hon. Mr. McMurtry: As the House leader of the Liberal Party knows, the investigation into Browndale by the Ontario Provincial Police has been going on for many, many weeks. In view of the enormous volume of documents they now have in their possession, I can't indicate to the House when this investigation will have been completed and a report made available to the ministers concerned. Until that has been done, I just don't wish to make any further comment at this time.

Mr. Breithaupt: When the Attorney General is prepared to make a comment, he might consider responding to the question as to whether an organization which does assessments should profit from the residential placement of the children it assesses? I would suggest that perhaps he might put his mind to that point as well in his response, if he would.

Sales Tax Exempt on Production Machinery

Parliament 30, Session 3 November 23, 1976

[Hansard Transcripts 1976-Nov-23 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. Lewis: A question of the Treasurer: Is he aware that officials of the Treasury ministry, meeting with those in the lock-up this morning, indicated there was absolutely no study done in the province of Ontario to determine the impact on jobs of his sales tax write-off for the purchase of machinery and equipment last year? And since he has no knowledge whatsoever of the impact on actual new jobs created by this write-off, why is the Treasurer willing now to give another \$160-million gift to the corporate sector?

Hon. Mr. McKeough: Mr. Speaker, if the Leader of the Opposition would get over some of his pink inhibitions --.

Some hon. members: Oh, oh.

Interjections.

Mr. Speaker: Order, please.

Mr. Lewis: On a point of personal privilege, Mr. Speaker.

Mr. Breithaupt: It's like calling him a socialist.

Mr. Speaker: Order. What is the point of privilege?

Mr. Lewis: Just for clarification. I thought the Treasurer was going to say “if the Leader of the Opposition would get over his pique,” but as I understand it he said “pink” what?

Some hon. members: “Inhibitions.”

Mr. Lewis: “Inhibitions.” Okay, I wanted to get it on the record.

Hon. Mr. McKeough: Mr. Speaker, if the Leader of the Opposition would get over his pique that we use the word “profit” and are proud of it on this side of the House -- and if he doesn’t know what the word is all about, then he doesn’t understand it!

Mr. Breithaupt: How many jobs?

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. McKeough: But you won’t get over that.

Mr. Yakabuski: The only time he knew about profit was when it was at Browndale.

Hon. Mr. Bernier: He sold a house one time.

Mr. Speaker: Please, let’s have the answer.

Hon. Mr. Davis: Where’s your Pilkey button, Stephen?

Browndale Operations

Parliament 30, Session 3 December 9, 1976

[Hansard Transcripts 1976-Dec-09 | Legislative Assembly of Ontario \(ola.org\)](http://hansard.ola.org/1976-Dec-09)

Mr. S. Smith: A question for the Minister of Health: In view of the cancellation of the management contract between Browndale Ontario and Brown Camps residential and day school, a contract which netted Brown Camps close to \$1 million a year, why has there been no decrease in the Browndale per diem, as there was in British Columbia, for example, when the management contract there was brought to an end? What’s happening to that \$1 million? Why are they able to fold it over into this year’s budget?

Hon. F. S. Miller: First of all, if the hon. member will look at this year's budget, I think he'll find there's absolutely no increase in the per diem over last year, when virtually every other organization dealing with us had an inflationary increase. We've looked fairly carefully at the costs of Browndale and we're satisfied at the present time that we're getting value for the money spent. As the member knows, a fair audit was done last year to determine whether people were on two payrolls. We are satisfied they were not.

Mr. S. Smith: By way of supplementary, can the minister explain why he now says there was no increase, when he answered me in this House in November and said there was a three per cent increase? Furthermore, why was there no decrease the way there was in British Columbia when a similar management contract which had inflated the budget by a similar amount of money was cancelled? Why was that \$1 million allowed to be folded into the next year's contract?

Hon. F. S. Miller: I think the member is jumping to conclusions. The three per cent increase, in effect, took place because there are three per cent fewer children in the system this year for the same number of dollars.

Mr. S. Smith: That's exactly what I was saying. A further supplementary on this particular point: Is the minister prepared now to explain to me, since the only matter that concerns him, according to his previous answer, was whether they are getting good value for the money, why he still insists that Browndale be a non-profit organization? Can he explain the logic in insisting it be non-profit, if all he cares about is whether he is getting value for the dollar?

Hon. F. S. Miller: I don't recall ever insisting it should be non-profit.

Mr. S. Smith: The ministry does.

Hon. F. S. Miller: It does not.

Mr. S. Smith: We'll hear more of that later.

Mr. Davidson: You are always going to do things later.

Mr. S. Smith: I know Browndale is sensitive to you. Forgive me, I have to bring it up once in a while.

Mr. Deans: We would like the investigation too.

Mr. Yakabuski: Let us find out who the directors are and what their salaries or fees were, and whether any were sitting members of the Legislature.

Psychological Assessments

Mrs. Campbell: My question is to the Minister of Health: Some time ago I asked the minister if he would answer a question pertaining to Browndale assessments which result in placements in Viking Homes. The minister on that occasion said it had been brought to his attention and that he was investigating and would answer my question at a later date. Does he have an answer at this time, and if not, when may I expect it?

Hon. F. S. Miller: I did have an answer and I'm going to try now to give it to the hon. member accurately. If I'm wrong, I'll correct it later, if that's fair enough.

Mr. Roy: You can plead The Evidence Act.

Hon. F. S. Miller: We did look into the matter and we found that, in fact, student psychologists, I believe, were being used from time to time in assessing children as part of their training programme and that no charge was being made by the Browndale organization for these assessments. It was part of an educational programme, not a fee-for-service programme which I believe the hon. member implied in the first case.

An hon. member: A real vendetta.

Mrs. Campbell: I wonder if the minister would, in fact, investigate it further since the information is not that these are students in psychology but that they are student teachers working toward a PhD in the teaching profession and not in psychology.

Hon. F. S. Miller: I don't recall that last variation. It may well be true, but is the hon. member sure they're not teachers of psychology?

Mr. Roy: You can't ask questions.

Mrs. Campbell: Mr. Speaker, I'm not here to answer questions. As a supplementary, could the minister not --

Mr. Roy: But she would do a better job than you.

Mrs. Campbell: -- investigate this practice --

Hon. Mr. Davis: You don't really believe that, Albert?

Mrs. Campbell: -- as it's part of his ministry?

Hon. F. S. Miller: That's another of the Goldenberg variations.
Interjections.

Browndale Operations

Parliament 30, Session 3 December 13, 1976

[Hansard Transcripts 1976-Dec-13 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: Mr. Speaker, a brief question of the Minister of Health: If, as he tells us, he has no objections and his ministry has no objections to Browndale's profitability, no matter how much profit it wishes to make, can he explain to this House why he bothered to order an expensive audit of its financial dealings, if it didn't matter at all what it did with its money, or how much profit it made?

Hon. F. S. Miller: Mr. Speaker, the other day I answered the member by saying it was my understanding that they did not have to be a non-profit company. They are, that part we agree upon.

Mr. S. Smith: Why bother auditing them?

Hon. F. S. Miller: The question the member asked me was whether a company had to be non-profit in order to be qualified to provide services in the province. I said they didn't have to be. I sat down and quite honestly I wondered if I was correct. That does happen, you know, once in a while.

Mr. Peterson: Seriously?

Mr. S. Smith: That you sit down?

Mr. Nixon: And you were quite definite about wondering.

Hon. F. S. Miller: I have asked that question and to this point in time I haven't got an answer. No one on my staff can tell me whether they must be non-profit in order to qualify. But they are

determining whether that in fact is a precondition of anybody providing service for children's mental health. If I am wrong, sir, I shall tell the member so.

Mr. McClellan: Would the minister not agree that if the requirement for non-profitability is not in existence, it should be?

Hon. F. S. Miller: The member's thoughts and mine are not the same on that matter. I don't believe non-profit means low cost.

Mr. Yakabuski: Mr. Speaker, the Browndale matter has been a question that has come up in the House very often, and supplementary to what the leader of the Liberal Party has asked, I am interested too.

Some hon. members: Question.

Mr. Yakabuski: I am wondering if the expensive audit we are talking about --
Interjections.

Mr. Speaker: Order, please. Is this in the form of a question?

Mr. Yakabuski: -- will tell us who the directors of Browndale were from the days it came into being, and if any of those directors were sitting members of the Legislature and had a conflict of interest?

Hon. F. S. Miller: I was just counting, Mr. Speaker. The period of the audit didn't go far enough back to answer the questions the hon. member has proposed.

Browndale Operations

Parliament 30, Session 3 December 14, 1976

[Hansard Transcripts 1976-Dec-14 | Legislative Assembly of Ontario \(ola.org\)](http://ola.org)

Mr. S. Smith: I'll ask a question of the Minister of Health; this is the last question, Mr. Speaker. Regarding Browndale, is the minister now prepared to cease the stonewalling, and can he tell us whether in fact per diem operating money has been used by Browndale in order to purchase properties?

Hon. F. S. Miller: First I'll answer the thing we talked about yesterday. We do not require that it be a non-profit organization.

Mr. S. Smith: It is one.

Hon. F. S. Miller: It is one, yes, but we do not require it.

Mr. S. Smith: That is why the ministry did the audit, because it is one.

Hon. F. S. Miller: The fact is we did the audit to assure ourselves that the moneys flowed to them were properly used under the terms of the agreement we had with them. It was a proper and justifiable audit, whether they were profit-making or non-profit making.

As far as I'm concerned we took action against them in the centre core of the city, based on the last audit, to recover certain moneys that were used for capital purposes that we deemed not to be proper, and I believe that claim was accepted by Browndale.

Mr. S. Smith: By way of supplementary, since that isn't the question I asked: The question I'm asking is, have they been using operating per diem moneys in order to purchase properties?

While the minister is thinking about that question and, hopefully, deciding to answer it this time, could he also perhaps consider whether he would tell us whether such properties that they may be purchasing, using per diem moneys, are being purchased from companies related to Browndale -- namely the profit-making arm, Brown Camps and so on?

Hon. F. S. Miller: I suspect the Attorney General was looking into certain allegations in this area, and he may be able to answer those questions. I believe there were certain investigations going on.

Mr. Haggerty: Quit tossing the ball around.

Hon. F. S. Miller: I can tell members that the \$68 or whatever it is that is permitted for the Browndale per diem -- or for anybody else's per diem -- allows for occupancy costs. If it is being paid towards a building they own, I assume it is being used to retire a mortgage. In other cases it is being used to pay rent and sometimes that rent is to a company affiliated with the operating company, as the member knows.

Mr. S. Smith: A brief supplementary: Then it's okay with the ministry if Browndale uses money from the taxpayers of Ontario not simply to provide the service but actually to buy pieces of

property from profit-making related arms of the Browndale company? That's okay with the minister, is that right?

Hon. F. S. Miller: I'm interested in a fair sum paid for the value of property. If it is retiring a mortgage, I don't see that that's particularly bad. I assume that if they are renting it from somebody who already owns it, that parson in turn is either paying a mortgage or getting a return on the investment. I can't see that the net cost to my ministry will differ too much either way. The key thing is, are they paying a fair price for the property?

Mr. S. Smith: Why are they non-profit?

Psychological Assessments

Hon. F. S. Miller: Mr. Speaker, on December 9, the hon. member for St. George asked if I would investigate further her question concerning students providing psychological assessments, as the information the members had was that these were student teachers working towards a PhD in the teaching profession and not in psychology.

I am advised that the students in question are doctoral students in psychology enrolled at the Ontario Institute of Studies in Education. A fee is not charged for the psychological testing provided by these students and they are adequately supervised by a registered psychologist. They are under his supervision when they carry out psychological testing, sometimes on Browndale children, sometimes on other children, and sometimes at the request of the court. The students are involved in this as part of their training programme and because it is an opportunity to help. By the way, if I may just conclude -- I wasn't going to add this part -- the member asked me what they were going to do in the future. I understand in the future they may practise psychology; some may be teaching at the university level. However, they are not seen as being teachers at the public or high school level.

Mrs. Campbell: A supplementary, Mr. Speaker, if I may. In view of the fact that this sort of information has been given publicly by one of the psychologists who is responsible for this particular practice, and in view of the fact he has stated he is operating on behalf of OISE rather

than Browndale, although Browndale letterhead is used in the assessments, could the minister advise us from whom he obtained this information which is given to us today?

Hon. F. S. Miller: I got it from my staff but I'll be glad to find out from whom they obtained it.

Browndale

Parliament 30, Session 4 April 14, 1977

[Hansard Transcripts 1977-Apr-14 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. Eakins: To the Minister of Health: Will the minister tell the House why it has apparently taken so long for his ministry to approve the Browndale budget for this year? Does this delay have anything to do with the OPP investigation?

Hon. Mr. Timbrell: I spoke with the director of the children's mental health services branch on this about 10 days to two weeks ago. They are, in fact, proceeding very well in finalizing that budget. Certainly, the investigation by my colleague the Attorney General and by the OPP is still going on; you may have questions about that which you should direct to my colleague.

Mr. Eakins: Supplementary: I just want to ask the minister, is he aware that the lack of decision on his part has caused labour negotiations which have been going on since last year to bog down; and when will he approve the budget so that financial matters can be discussed in these negotiations?

Hon. Mr. Davis: Oh, come on; your leader wants to close them all out.

Mr. S. Smith: The only people suffering now, Bill, are the employees who can't get a contract.

Hon. Mr. Timbrell: No, Mr. Speaker, that suggestion has not been made to me but I will bring that up with the director of the branch.

Hon. Mr. Davis: Why don't you people get together?

Mr. S. Smith: John Brown isn't suffering.

Orders of the Day: Private Members' Business

Parliament 30, Session 4 April 21, 1977

[Hansard Transcripts 1977-Apr-21 | Legislative Assembly of Ontario \(ola.org\)](http://ola.org)

MOTION NO. 2

Mr. Singer moved private member's motion No. 2:

Resolution: That in the opinion of this House: 1. The government should establish a register of all properties owned by the province of Ontario or by any of its boards or agencies, which register shall be set out the following: (a) the date on which the land was acquired; (b) the size of the parcel of land; (c) the total acquisition price; (d) the purpose for which it was acquired and the approximate date that it is anticipated that it will be used for such purpose; (e) the present use of the land; (f) the authority which allowed its acquisition; (g) the amount of commissions paid to any persons or agents concerning the acquisition and to whom they were paid; (h) the amount of legal fees paid in connection with such acquisition and to whom they were paid; (i) that such register be open to inspection by any interested person.

[3:30]

2. The government should establish guidelines for all future acquisitions which will ensure the clarity of procedures and the fairness whenever land is acquired; and that such guidelines be approved by this House; that when any land not owned by the province of Ontario or any of its boards or agencies is acquired that within three months of the date of such acquisition full details concerning the acquisition are added to the register referred to above.

3. When any land owned by the province of Ontario or any of its boards or agencies has been disposed of, full details of such disposition be added to the register referred to above within three months of such disposition.

Mr. Speaker: The hon. member for Wilson Heights may proceed with his dissertation.

Mr. Singer: The purpose of this motion, Mr. Speaker, is to bring as forcefully as I can before this House one of the very serious denials of public information. It's a matter that has caused us trouble in this Legislature for many years -- certainly for all of the years that I have been here --

and that is our inability to find out what lands the government of Ontario owns, why it bought them, the prices that were paid for them, the manner in which the lands were acquired, whether or not information has been leaked, whether or not there is a standard procedure whereby lands are acquired and on whose authority the land was acquired. From time to time, unfortunately, there has been the suspicion in the minds of many people that the procedures used and the lack of public availability and public information has tended to allow improper practices which have benefited only a few of the citizens of the province and not all of the people of Ontario.

With this in mind, I must point out that it is unfortunate that the Minister of Housing (Mr. Rhodes) hasn't seen fit to be present here, because he and his predecessors are the ministers of the Crown to whom the majority of our criticism has been directed over these many years. When the new minister arrived in his portfolio not too long ago, some of us thought that perhaps a new breath of fresh air had come on to the scene and we were going to get some new and enlightened leadership from that minister, because during the course of consideration of his estimates a couple of years ago he did say that a method could be worked out, he thought, that would allow the examination of the minutes of Ontario Housing to be made public.

He promised subsequently to that, in answer to questions put to him, that he was going to ask for representatives of the three parties to get together and he would chair a meeting where the procedures could be determined upon. That sounded very brave, but nothing has happened since. I am told -- and again it is unfortunate that the minister isn't here -- that when he took that proposition back to those people who populate the directors' table at Ontario Housing Corporation, they talked him out of it. So much for enlightened information; so much for the public right to know what is going on.

You have been around here long enough as well, Mr. Speaker, to know that every time the breath of suspicion is raised about land acquisition or land disposition policies, almost a full and complete iron curtain descends in front of and around those ministers responsible for such acquisitions or those agencies that have been active in making this kind of expenditure of public money. This was particularly evident after the decision of the government in relation to the bill of the hon. member for Lakeshore (Mr. Lawlor) asking for disclosure of public information, the

one that was debated last week, when the government members, every one of them, stood in their place and said, “No, we don’t even want to vote on that, because there is a green paper or a white paper or something. We don’t want any disclosure of public information. But be patient, some years from now -- maybe another 10 or 15 years -- you are going to get some kind of a bill.”

The reason that my motion is here today is to take up one of the most objectionable, most improper, most obnoxious methods of government handling of its business and to debate on that, together with my colleagues and hopefully with the support of the other two parties, what I think should be a most important step in public policy...

...

Mr. Lawlor: Property is acquired in four ways. First, by direct purchase: a government agency acting as a government agent approaches individuals and buys in the normal way by way of an offer to purchase. The second way is expropriation. The third way is by way of option agreement. The option agreement is broken into two parts: There may be either full disclosure on one side, or an anonymous buyer coming in to purchase under the option. For various reasons, this is the way that speculators largely operate. Then there is the fourth way, whereby an anonymous buyer directly approaches without the option concept operating.

In this legislation there is more than meets the eye, just beneath the surface. Do we approve of the anonymous operator? Do we approve of the government, in certain circumstances albeit however narrow, approaching individuals under a pseudonym with the use of real estate agents and others to purchase property, largely, of course, in terms of land assembly? Do the members think that’s a legitimate practice? No one questions that it is very often subject to abuse, as we’ve had many instances of...

...

Mr. Nixon: I see that the Ombudsman is very much concerned indeed at the lack of governmental action in this matter. We may find that that controversy which has brought into question the responsibilities vis-à-vis the Minister of Housing and the Ombudsman is going to flare up again.

This would have been unnecessary if there had been some indication of clear policy direction in the government when they decided to get into the Pickering business which has proven to be such a mess, such an expensive albatross hanging around the necks of the government and therefore a cost on the taxpayer.

A waste of money? The hon. member who indicated that the government can't support this resolution has indicated they don't want to waste money by simply having a registry which would indicate to the government and others what these lands holdings are.

I submit to you, Mr. Speaker, that it would do away with the kinds of waste of money that must embarrass the ministry when they think about what has happened in the past. I surely hope that there is a commitment among the individuals in the ministry not to allow that kind of super arrogance to lead them into the sorts of purchase without adequate planning that has gone on in the past.

The government says information about specific pieces of land is always available if you ask for it. Mr. Speaker, I am sure you are aware that opposition spokesmen have asked for the details of the purchase of properties associated with Browndale. For many months, in fact years, the information has been promised, but it has never been forthcoming. The purchases are made with public funds and the information has not been adequately made available to those in the House who are concerned with this matter.

I would hope that such a registry would form one of the basic pieces of information which would lead the government to promulgate a plan for the province of Ontario. This too was associated with John White and I have been very critical of his lack of judgement in the acquisition of properties heretofore. But I do believe that the concept of a plan for Ontario, which is and has been Liberal policy for many years, is something that must be associated with this concept of the registry of land.

[4:15]

Questions on Order Paper

Parliament 31, Session 1 July 7, 1977

[Hansard Transcripts 1977-Jul-07 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. Eakins: Mr. Speaker, I rise on a point of personal privilege. It follows the remarks of the Premier that information from the ministries is readily available to the members. I would like to say that I have a question on the order paper concerning Browndale, which was first tabled on March 31, as does the hon. member for St. George (Mrs. Campbell). The interim answer indicated that an answer to my inquiry would be given but did not specify when. I placed my question on the table again on June 27 and it would appear that the government intends to ignore it. Will you rule on whether or not the government is circumventing the spirit or letter of the new House rules?

Mr. Speaker: I will have to consider all of the implications of that but, briefly, if the question was placed again on --

Mr. Eakins: The 27th.

Mr. Speaker: -- the 27th, I think there's a period of time in which some interim answer must be forthcoming, or a reason for not responding. The two weeks are about up, so I'm sure the hon. minister, whichever one it was, will be guided by that and your words will be taken to heart. We'll expect an interim response in the meantime.

Children's Services Act

Parliament 31, Session 1 July 11, 1977

[Hansard Transcripts 1977-Jul-11 | Legislative Assembly of Ontario \(ola.org\)](#)

Hon. Mr. Norton moved second reading of Bill 23, An Act to provide for the Transfer of Services relating to Children.

Mrs. Campbell: Mr. Speaker, I rise to address myself to this bill and I regret to say that to me it is a mean little bill.

Having in mind the fact that we have had reports over years on the need to address ourselves to the matter of residential services for children, it is tragic to me that the government has only been able to move itself through the mechanics of transferring services to one ministry, and that it has not before us at this late date either an expressed philosophy or indeed an omnibus bill that would give to those of us with concern, some feeling that the ministry is in fact addressing itself to some guidelines covering both programs and care for children in our communities.

That, as seems so often to happen with this government, is something that will come along down the road. How far down the road, one can't possibly know, except that from experience one knows that it may or may not be within the life of this Parliament.

The minister's statement of Thursday -- and I say it was somewhat, to me, a black Thursday -- regarding the progress of the reorganization, was certainly in the light of the history of this chaos, at best disappointing and at worst indicative of the total chaos which seems still to continue.

When at last an operating or line ministry undertook to make changes that obviously could not be made by the secretariat, which totally failed in its function in this area, I had hoped there would be some direction that would be not too quick to allow for proper consideration, but where we would not see the new deputy in this area spending his time prancing around the country rather than looking to the problem in depth as it exists. If he had been going around the country looking at the various residential services it might have been better, but instead it would seem that he was simply going around to meet with the municipal people and to try to assure the staff of their continuing function.

When we come to the organization which was provided to us by way of a chart, that reorganization speaks volumes. It would appear that the same people are running the show, with few exceptions -- the same people who had so adroitly covered the Browndale situation and the true state of the group home situation in Ontario. For example, the unlicensed homes, the fire and safety problems. If you will remember, Mr. Speaker, nobody apparently knows how many of the numerous unlicensed homes are operating contrary to fire, health and safety regulations.

It is encouraging to see that the minister has chosen someone as able as His Honour judge Thomson to bring this matter into focus. But I wonder what good it is to bring in someone like Judge Thomson, like Claude Chamberlain and other very able people, putting them at the top of the organizational chart without a total rationalization of the structure underneath. It does seem that the same set of empires continues to exist, albeit under one roof.

Having discussed the organization, I suppose we now see the reasons why the timetable would suggest that basic reforms are very far off indeed. I suppose it is characteristic of this government, as I said earlier, to get the mechanics sorted out and then if, perchance, some element of philosophy creeps in, it may do so in some subterranean fashion, and it will be a long time before we address ourselves to the total concern for children.

I think specifically of the references made by the minister to the children's committees. It is clear that the minister at this point has no idea of the composition of such committees. Perhaps we can expect that he will be prepared to accept Mr. Robarts' suggestion, at least for Metropolitan Toronto, although honestly I would be saddened if we don't have something closer to the children than what is suggested in that report. However, the ability to delegate is present. Certainly it would seem there is a battle shaping up over this question -- not only between municipal officials and service providers, but within the government itself. When, for instance, under this legislation, will we see any rationalization of the wide range in per diems which we have frequently attacked and which the interministry report identifies as a serious issue? When, for instance, will we be permitted to have answers to the questions which have been on the order paper for so long? I suppose when someone feels that it is important to address oneself to something other than mechanics.

[3:45]

What is more, on the per diem issue, it is a major waste of money, and that is public money, without apparent advantage to children. Because when I use the word "waste" I do not for one moment resent any money that is spent to assist our young people, particularly those who are very troubled. When I say "waste", it is because the minister and no one else seem to have come to grips with the responsibility of government to look at the question of accountability -- each

and every day this government continues to allow the unsupported and unjustified flow of public money to continue without accountability, this government will stand condemned, having made no basic reform in this field at all. In this mean little bill there is still nothing.

On this issue of accountability, it shocks us to see so little recognition by the government of the need for immediate accountability both in program and financial terms. There would appear to be some tacit acceptance that children's committees will wring accountability from all the various service providers one way or another. But the minister seemed to indicate that initially at least -- and we don't know in this government how long initially is -- they will be looking again at mechanics and again at budgets.

I wonder when we will have the right to know what is going on in these various residential services, when we will have the right to have questions answered? Does the minister expect that once this bill passes -- and of course we have to support it because it's the only way that we know to get the government to move another step -- does the minister feel he must wait five years down the road before he can answer the question of accountability on these services? It's been some years now since we've been asking the questions, and there has been no accountability by the government.

I recognize the fact that this is not deemed to be a major piece of legislation and one would certainly understand that it is not. I have expressed my concerns because I find so often that when I'm prepared to say okay, go ahead, get the thing in motion, for the second stage it's "hope deferred maketh the heart sick."

Mr. McClellan: Mr. Speaker, I'm pleased to rise and join in this debate on the children's services bill. We do so with more than a certain amount of anxiety and apprehension, I want to tell you. We intend to support this bill on second reading, but we do so very reluctantly; and we are reluctant because we know this ministry so well.

The issue that we should probably address ourselves to in this debate is the competence of the Ministry of Community and Social Services to assume the new and enormous responsibilities which are vested in it by virtue of this bill.

It's not the first time the Ministry of Community and Social Services has made promises of major reforms in the social service area. It's not too long ago that this House approved The Developmental Services Act, which was said to be a major step in the transformation of not only services but the whole way that we, as a society, look after the mentally retarded. That was only three years ago, and here we are today once again being asked to trust the Ministry of Community and Social Services with an even more awesome and enormous set of responsibilities.

I want to say, in my remarks to this bill, that we need to learn from the lessons of what happened with The Developmental Services Act and the so-called reforms that were promised by the same ministry in 1974. We are not going to tolerate the same history of failure and incompetence with respect to children's services that has characterized the government's so-called reforms with respect to mental retardation.

I want to spend a few minutes, by way of illustration, to set out before you, Mr. Speaker, what in fact happened to those so-called reforms implemented so unsuccessfully by the Ministry of Community and Social Services, because they bear on the issue of the competence of this ministry to do what is assigned it by the present bill. That's why I want to raise it; it goes to the very heart of the matter. The very issue that we're debating is whether or not this ministry has the competence and the capacity to assume its new responsibilities.

If you will remember, Mr. Speaker, the original impetus for reforms of mental retardation came from the Williston report of 1971. Mr. Williston set out a series of ideals which were then adopted by government as policy. If I may just summarize them: "Society must provide each mentally retarded person with such assistance, protection, opportunity and shelter as will enable him to take his place as a contributing member of the community and assure him a decent standard of living so that he can walk through life with dignity. That stated idea became the basis of the ministry's normalization program.

If I may, Mr. Speaker, by way of reinforcement of that idea, Mr. Williston promised to set forward as a goal, a series of programs making available to the mentally retarded, patterns and conditions of every-day life that are as close as possible to the norms and patterns of the

mainstream of society. It was in 1971 that that goal was stated. That goal was adopted as a major policy of reform to be implemented by this same ministry -- the Ministry of Community and Social Services -- in 1973. Now, after four years --

Hon. Mr. Norton: Mr. Speaker, on a point of order.

Mr. Deputy Speaker: Your point of order?

Hon. Mr. Norton: I don't wish, in any way, to attempt to curtail the debate on this matter but it strikes me that it stretches one's imagination to see how this particular tack directs itself to the matter of the principle of his bill.

Mr. McClellan: Speaking to the point of order, Mr. Speaker, I stated what the principle of the bill is, which is the assignment of new responsibilities to the Ministry of Community and Social Services. It is my contention that it is absolutely germane to the question to establish the competence of this ministry to assume its new responsibilities. I intend to illustrate my concerns with respect to its competence by looking at the last major reform that this ministry assumed as recently as 1974. I don't want to dwell at extraordinary length on it, but the point is utterly essential.

Mr. Deputy Speaker: I appreciate your comments on the point of order. I do recall that when you began your remarks I was on the verge of asking if you would keep your remarks within the principle of the bill. I would ask you to do so.

Mr. McClellan: I would like a ruling from you, Mr. Speaker, with respect to whether you agree that it is legitimate for me to address myself to the principle of this bill by the route of discussing the competence of this ministry to assume its new responsibilities, in the light of its recent history.

Mr. Deputy Speaker: I would like to suggest to the member that there could be some appropriateness to your comments. However, I don't feel that you should spend any great length of time on the competence of the ministry. You should refer directly to the principle.

Mr. McClellan: Again, I feel that that is the principle. Respecting your ruling, and even respecting the concerns of the minister, let me attempt to conclude that section of my remarks very quickly.

Seven years after the Williston report and three years after The Development Services Act was implemented, we are still as far away from any kind of a meaningful program that would bring about normal community living for the mentally retarded as we were in 1971. This ministry simply has failed, almost completely, to undertake those responsibilities assigned to it.

I can refer you, Mr. Speaker, to a study that was done by the Children's Aid Society of Metropolitan Toronto in February 1977, which states categorically that the kinds of non-institutional services and facilities promised under those reforms have not been brought in. The ministry failed, almost completely, to achieve the goals that it had set out for itself in that series of reforms. We are justified in being apprehensive and profoundly nervous with respect to whether or not the ministry will succeed with these reforms on the basis of that monumental failure in the field of mental retardation.

With those remarks I will leave that subject, but I assure the minister, through you, Mr. Speaker, that I will pick these up again at his estimates debates in the fall and we will go in, chapter and verse, to the failure of the mental retardation program to achieve the goal of normal community living for the mentally retarded.

It's good to remember, for the purposes of this discussion, why it is that we are at this stage today. We are here in response to the report of the interministry committee on residential services, which gave one of the most scathing indictment of government policy and program that it is conceivable to write. These indictments were written, not by outside observers, but by the government's own senior administrators and officials across a number of ministries -- some six ministries. The interministry report, having been suppressed since April, 1975, until December 16 of last year, gave an utter, damning indictment of this government's social development policy and of its social development programs.

It did not touch simply on children's services. It detailed critiques of virtually the entire range of social service programs in this province.

To refresh your memory, Mr. Speaker, the interministry report documented in detail how the elderly in this province are victims of "wasteful competition," institutional gamesmanship, jockeying for clients. It describes the complete absence of standards with respect to senior

citizens' care and incompatible ministry service philosophies. It describes how the elderly are pressured into institutions because of the lack of non-institutional alternatives.

[4:00]

It dealt in part of its subject matter with the services for children and youth; and that is the piece of that indictment that we are dealing with today in a very preliminary kind of way. Services for children and youth are described as -- I am quoting -- "a deeper maze of philosophies, funding varieties, staffing patterns, standards in supervision." They go on to tell how the placement of troubled kids in any of 10 separate bureaucratic systems is "purely a matter of chance." Needs have no place in the process of placing kids in this province at all.

As the member for St. George stated very aptly, we are dealing with what is a very mean little bill. It is a mean little bill indeed in terms of the enormity of the problems within the social service field.

The problems do not rest simply with services to children and youth, as the report of the interministry committee has clearly detailed. The shambles in social development policy in this province goes right across the board, from income maintenance to services to the elderly to services to the mentally retarded, and including services to families and young children. The government has before us a very small piece of the essential and needed reforms in social service policy.

We see this as a kind of an organizational clearing of the throat that is necessary before the real work of restructuring services to families and kids in this province can take place. As such we are prepared to support it, understanding clearly that this is seen as an essential Act that probably should have taken place years and years ago, and does not begin to deal with the guts of the matter. We have stated on many occasions that we are in favour of a policy of devolution -- that it makes sense to us to try to put coherence of services back together at the local level.

We are in support of the general thrust of the minister's overall reform package, but we lament enormously that everything excepting this little bill that is before us today is vague and ephemeral and still largely incoherent.

The minister has given us a timetable for the implementation of the essential --

Mrs. Campbell: Don't hold your breath.

....

Children's Services Act

House in committee on Bill 23, An Act to provide for the Transfer of Services relating to Children.

On section 1:

Mr. McClellan: Mr. Chairman, I raised our concerns with the minister during debate on second reading. I don't want to raise them again, except to say that we would have an enormous problem supporting this bill if the bill involved a change from an insurance principle for funding children's mental health centres to a welfare principle. I would like an assurance from the minister that before such a major change in government funding policy takes place, it will not take place within the orbit of this bill, but that separate legislation will be brought before this House which can be fully debated.

Hon. Mr. Norton: I can certainly assure the hon. member that nothing is changed by this bill at the present time. I would not wish to give him any binding commitment with respect to what the ultimate rationalisation of the funding might be, because that obviously is one of the matters that we are looking into. I can assure you that as we proceed toward a rationalisation of the funding, I would welcome any input that the hon. members opposite have. But clearly, that is one of the tasks that we have to approach as a ministry, because the funding is so disparate across the various programs at the present time that cannot continue indefinitely.

Mrs. Campbell: Just on the point of the financing, we are taking the position that this will come back to us for discussion. Perhaps you might allay some of the concerns in this caucus if you would undertake to ensure that before we rise for the summer vacation we do have answers to some of those questions of funding that we have been asking for months. This would then assist us in believing that we would have some input into the financing as it is developed by your ministry.

Hon. Mr. Norton: I am not sure that I will be able to give the hon. member the information she requests before the House rises for the summer. The discussions are still in progress, and in fact, they are in progress this week with court officials and with some municipal officials with respect to that very question of financing, that she refers to. I will not be able to give her any further information until such time as I know what the outcome of those are going to be.

Mrs. Campbell: As a result of the answer, do I take it the minister is consulting court officials with reference to the material for which we have asked consistently for at least a year with reference to Browndale?

Hon. Mr. Norton: No, Mr. Chairman. I wasn't referring to Browndale at all. I thought that the hon. member was referring to the question of the placement of children by the courts and

the funding of that particular program.

Mrs. Campbell: Then perhaps if the minister understands the question now, he might be in a position to give us some assurance that we will have the answers by tomorrow, since under our standing orders, if we were to be sitting here Wednesday -- I believe that even under the misinterpretation of the rules the minister would have been required to answer by Wednesday the questions which have been on the order paper.

[4:45]

It is, Mr. Chairman, because of these discrepancies, because the very same people who have not been giving us answers over the years are still involved, presumably, with developing in some measure the funding for this ministry, that we have serious concern. I would hope the minister would understand that. Those questions should have been answered months ago and they're only here again as, in effect, new questions because of the new session. And if the ministry is still unable to answer those questions, then I want some assurance as to how we're going to get input when you're developing the total question of financing of services for your ministry. I would like an answer, Mr. Chairman.

I understand that the minister was going to propose an amendment which comes, I believe, before section 1 of this bill.

Hon. Mr. Norton: Mr. Chairman, in response to the issue of questions, I presume that the hon. member is referring to the questions which on the order paper are directed to the Ministry of Health. It was my understanding that those questions were answered by the Minister of Health in the information tabled the other day, or just a matter of a few days ago. I'll check with you afterwards, but that was my understanding -- that he had in fact tabled answers to those questions in the House last week.

Now beyond that I'm not sure what the thrust of the question is. If there is further information required, please redirect the question.

Mrs. Campbell: I suppose not to prolong it, I would just point out to the minister the questions were addressed to the Minister of Health, because the questions related to his ministry. But in view of the fact that I assume that all of his staff has been seconded to this ministry, I don't know

who he'd have left to answer the questions. Neither do I know who in the new ministry, or in the new function of this ministry, is capable of answering them, since they haven't been capable of answering them in the long months before.

All I want to know is are we going to get these answers so that we can then believe we're going to have some input into the whole question of financing these services under the composite ministry?

Hon. Mr. Norton: I will check with the Minister of Health because I thought that the answers had been tabled. I wonder if the hon. member is certain that they have not.

Mrs. Campbell: I am certain they have not.

Sections 1 and 2 agreed to.

On section 3:

Mr. Deputy Chairman: Hon. Mr. Norton moves that section 3 of the bill be deleted and the following substituted therefor: "3. The short title of this Act is The Children's Services Transfer Act, 1977."

Mrs. Campbell: Sounds like The Land Transfer Tax Act.

Motion agreed to.

Section 3 agreed to.

On motion by Hon. Mr. Welch, the committee of the whole House reported one bill with a certain amendment and asked for leave to sit again.

Browndale

Parliament 31, Session 1 November 9, 1977

[Hansard Transcripts 1977-Nov-09 | Legislative Assembly of Ontario \(ola.org\)](http://hansard.ola.org/1977-Nov-09)

Mrs. Campbell: Mr. Speaker, my question is to the Premier. Is the Premier aware that an opinion from Mr. Scullion, the acting deputy director of the Crown law office, has totally blocked my efforts to properly review the Community and Social Services estimates, specifically the amount of money expended on Browndale, Ontario? And that the minister, citing this

opinion, has even refused to tell the committee how much money is currently flowing to Browndale including any information as to the present per diem? Would the Premier undertake to have this matter reviewed to ensure that we are able to receive at least the information pertaining to the present budget in that ministry or being reviewed in that ministry?

Hon. Mr. Davis: I am not aware of any legal opinion that has been given on this matter but knowing the objectivity and the fair-mindedness of the hon. member for St. George and her own respect for legal opinions and the process of law, I'm sure that she must want to be guided, as is the ministry, by these legal opinions. I'd be quite prepared, short of giving a legal opinion of my own, which I'm always very reluctant to do --

Interjections.

Hon. Mr. Davis: I don't want to answer all these interjections. I would only say to the member for Ottawa East that if I really were in a position of choosing a legal opinion from the Attorney General or from the member for Ottawa East --

Mr. Roy: My record is better than his.

Hon. Mr. Davis: I know something of the member's record in the courts and he has lost more than one case.

Interjections.

Hon. Mr. Davis: Listen, in the good old days he even lost some very easy prosecutions. Any assistant Crown Attorney out of Osgoode could have had them.

Mr. Roy: I am not even a QC and I value my opinion better than his.

Mr. Speaker: Back to the question, please.

Hon. Mr. Davis: I'm sorry, Mr. Speaker, I was diverted. I will say this to the member for Ottawa East, he certainly has been in the courts more recently than the Attorney General or myself -- probably like yesterday.

Mr. Roy: That is right. I am in shape -- in great form.

Hon. Mr. Davis: I will be delighted to look into this for the hon. member.

[2:30]

Mrs. Campbell: I have a supplementary, Mr. Speaker. In view of the fact that the government's refusal since 1974 to answer questions regarding Browndale finances represents stonewalling which pre-dates the police investigation by nearly two years, would the Premier not agree that the opinion from this office is now being used to add legitimacy to the cover up of this subject? Can he assure us that when the police finally dispose of their investigation we will obtain the information we are seeking and that all papers, records and documents pertaining thereto will be preserved pending that information being given?

Hon. Mr. Davis: I think the hon. member started out her semi-question statement by saying "would the Premier not agree." I guess I can give a very simple answer to that, Mr. Speaker: Yes, the Premier would not agree.

Mrs. Campbell: I have a supplementary:

Would the Premier at least go as far as to assure this House that he will see that all the documents and papers referring to this particular item will be preserved and available to us following the completion of the investigation by the OPP?

Hon. Mr. Davis: I can't undertake things that are not within the purview of the government or the ministry. That would be, I think, an unfair commitment to give or for the hon. member to ask. She is asking if there are any documents, or whatever it is that she would love to get her hands on, and I don't even know what they are, Mr. Speaker.

Certainly I do my best to please the hon. member on all issues, as she well knows -- that is all issues raised here in the House. I certainly would undertake that any documentation in the ministry will not disappear. I can't account for documents that might appear in some brown envelope under the hon. member's door; I can't control that sort of situation. But certainly I will make every effort to see that there isn't a disappearance of these documents that the hon. member is so anxious about.

Browndale

Parliament 31, Session 1 December 1, 1977

[Hansard Transcripts 1977-Dec-01 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: I have a question for the Minister of Community and Social Services. Given the recent charges that have been laid with regard to the operation of Browndale and given the fact that such an occurrence could well be giving rise to feelings of uncertainty on the part of staff, on the part of parents and perhaps even on the part of children -- those old enough to understand what's happening -- can the minister tell us what plans he has developed and has implemented to ensure the welfare of the children and the public interest in general, and what he has done, having had about a year and a half to prepare for this eventuality?

Hon. Mr. Norton: Immediately upon learning of the laying of the charges to which the hon. member refers, the senior officials within my ministry met with representatives of the board of directors of Browndale, at which time the question of continuation of the service and the welfare of the children was discussed. Firm assurances have been given that there will be no interruption in service to the children. In addition to that, steps have been taken both by the senior officials of my ministry and officials of Browndale to contact their workers in the field across the province to reassure them that the service will be maintained throughout this period. We have no reason whatsoever at this point to fear there will be any interruption of service.

Mr. S. Smith: By way of supplementary, given the rather exceptional circumstances in this matter, would the minister not agree that he and his officials might be well advised to convene a meeting of Browndale staff and a meeting of parents involved so as to let them know what contingency plans may exist, lest they feel threatened by circumstances or by other threats expressed or implied by whatever person? Wouldn't such a meeting at which the ministry could lay out its contingency plans and its guarantees about the continuation of service be a good idea, given the uncertainty that must exist in their minds at this time?

[12:15]

Hon. Mr. Norton: As I have said, contact has been made with staff members of Browndale across the province to do precisely what the hon. member requests we do. I am not sure how extensive his suggestion would be in terms of convening a meeting of Browndale staff, whether he means literally bringing in all the staff from across the province of Ontario. I can assure the member that contact has been made, both by Browndale and by officials in my ministry, precisely for the purpose of giving that kind of reassurance. At this point I have no indication that further measures, such as convening a meeting in Toronto or else at another location in the province, are necessary or would serve any further useful purpose.

Mrs. Campbell: Would the minister not agree that given the new circumstances there are bound to be dislocations, and that extraordinary steps are required with Browndale's co-operation, hopefully, in order to stabilize that situation?

Hon. Mr. Norton: Again it is not clear in my mind what specific kind of situation the hon. member is referring to. Certainly, should the present situation not continue, and I can assure the hon. member that the Browndale corporation has indicated a willingness to co-operate with us in order to ensure the continuation of service -- we do have staff members in our ministry who will be monitoring that service throughout this period of time -- but should there be any indication to us that there is dislocation or that there is reason for further intervention, certainly I would be prepared to do that, and certainly I would exercise the authority that I have under the ministry Act to do so. But I do not want to act precipitately when there are indications of co-operation in order to continue service.

Mrs. Campbell: May I ask one supplementary following the minister's reply? He has referred to monitoring. Could the minister give us some idea what he means by monitoring the situation by members of his staff?

Hon. Mr. Norton: Ministry staff in the field, throughout the districts across the province, have been instructed to establish a close relationship with the staff of Browndale and to maintain ongoing communication with them in order to ensure that there is no threat of disruption of service.

Mr. S. Smith: A final brief supplementary: Now that the charges which were at one time pending have in fact been laid, are we going to receive answers to our questions regarding the financial situation, especially about how the 1977 per diem was set? Furthermore, is the minister going to tell us now what changes in the method of funding he has in mind?

Mr. Speaker: Order, please. If I might just intercede at this time, we have reviewed the sub judice rule on numerous occasions in this House, and it is not the prerogative of the Speaker to call into question the nature of a question and whether or not it may be. All I want to do is caution the person asking the question and the minister to use some discretion with regard to the sub judice rule. I am not outlawing the question. I just want to remind members of that.

Mr. S. Smith: May I just speak to that point briefly, Mr. Speaker, in thanking you for that reminder. As you are aware, sir, the government of Ontario pays to Browndale now about \$700,000 a month. We are merely asking whether that can be accounted for, as we requested in estimates. As you know, sir, in estimates we were told that because charges were pending, they didn't have the information available for us. We wonder if it will be available now, including any plans they have to change the method of funding.

Hon. Mr. Norton: I think the only change in circumstances since the time that questions were asked during the estimates is that perhaps it is even clearer now that certain issues are sub judice. Since I am not familiar with either the details of the previous investigation or the evidence that might be relevant to the charges currently before the court, I would be very reluctant to discuss it especially in view of the legal advice that I had obtained earlier while the matter was under investigation.

Mr. Lewis: If I may ask a supplementary, surely the minister is not hesitant about now discussing the applicable per diem for a treatment centre and how he arrived at it, since it is functioning today.

Hon. Mr. Norton: As I said, if I were aware -- and I'm not -- of specifically what issues gave rise to the charges currently before the court, then I would know what I could safely comment upon. But I am not privy to that information and I would not wish to comment on a matter in any way so as to prejudice the case that's before the court or any of the persons who are involved.

Mrs. Campbell: Supplementary on a point of clarification: Do I understand it that the minister is still relying on an opinion which was given some time ago? Has he not sought a further opinion as to whether the facts cannot be told now that charges have been laid? If he hasn't, will he do it?

Hon. Mr. Norton: Of course, I will. I have not, and I'm sure right now I could assure the hon. member that the opinion is not likely to have changed since the charges have been laid.

CHILDREN'S INSTITUTIONS ACT (CONCLUDED)

Parliament 31, Session 2 June 20, 1978

[Hansard Transcripts 1978-Jun-20 | Legislative Assembly of Ontario \(ola.org\)](#)

Resuming the adjourned debate on the motion for second reading of Bill 117, An Act to revise the Children's Institutions Act.

Mr. Deputy Speaker: The honourable member for Bellwoods.

Hon. Mr. Norton: The member got back from the garden party.

Mr. McClellan: I got back from my party; and if we can dispose of the rest of the legislation I can return to the garden party.

Mr. Makarchuk: Are you out of your mind?

Mr. McClellan: It is my intention to do so. The act before us, Bill 117, is one which we are prepared to support. The legislation is of a piece with the Children's Residential Services Act. The intention of the two pieces of legislation, as I understand it, is to introduce for the first time the notion of appropriate standards to children's residential services in Ontario. How could one possibly object to that?

In the absence of any kind of explanatory statement from the minister, I quote from page 45 of the summary of the children's services legislation: "This bill is the re-enactment of the existing Children's Institutions Act. However, the main objective of the changes is to enable the implementation of appropriate standards as they are developed."

It's curious legislation, because it is legislation which, as it says, enables the implementation of standards if, as and when they become available. As yet there are no standards. I suppose there

are thoughts about standards; there are people who are thinking deeply about standards, there are people who are prepared to issue policy documents at some point distant in the future telling us what those standards may be; but even if we pass the legislation tonight, which we will, there still won't be any standards. This is a very bizarre performance.

I hope the minister will tell us when he makes the statement on this bill and on the Children's Residential Services Act, which is the licensing statute, when, if ever, he intends to provide these standards to us. It really is a mind-boggling exercise. To illustrate how desperately standards are needed, we've had a history of discussion in this House about the inadequacy of standards with respect to the Children's Institutions Act, and more particularly the Children's Boarding Homes Act, and facilities licensed or authorized under most of those statutes. All of that discussion is on the record. We had another illustration this afternoon of just how bizarre is the lack of supervision and the lack of accountability between this ministry and residential facilities under those two statutes in this province when the minister tabled the answer to my question, number 37, on the order paper.

The question was tabled in April and it asked the minister to advise us further to a gun safety memo which the ministry had sent around in February to children's aid societies and directors of group homes established under the Children's Boarding Homes Act, the Children's Institutions Act and the Children's Mental Health Centres Act. I had asked the minister to identify which residential facilities had firearms and for what purpose group homes which were established to provide treatment service to disturbed children would have firearms.

Today, we were given the answer. In 16 homes authorized under the Children's Boarding Homes Act, there were a total of 33 firearms. The uses are bizarre. I wonder why a children's boarding home would have one large .306 gun. I am wondering why a group home, a residential treatment facility, would have an eight-millimetre German Mauser. The eight-millimetre German Mauser is described as being used for hunting big game.

Mr. Makarchuk: Oh, no! Is the minister out of his mind?

Mr. McClellan: The residential facility in question is located in Markham, one of the more fabulous big-game hunting sites in the world I am sure. I wonder if the minister would lead us on a safari through Markham.

Mr. Makarchuk: Markham Serengeti it's known as, isn't it?

Mr. McClellan: The minister could distribute surplus firearms from his residential treatment facilities to the members of the House and we could proceed through Markham or whatever other fabulous hunting ground he would care to identify.

Hon. Mr. Norton: You would have a coup d'état. You know that's what you are after.

Mr. Foulds: It may come to that if you keep up with this kind of stuff.

Mr. McClellan: Why do children's treatment facilities in Ontario have guns? What kind of madness is this? What kind of a ministry is he running over there? What kind of incompetence does this manifest that there are 33 dangerous firearms in 16 residential treatment facilities for children? It's absolutely loony.

Mr. Foulds: That's being kind too.

Mrs. Campbell: That is not parliamentary, however.

Mr. Makarchuk: Anybody that's got a Mauser in a children's home --

Mrs. Campbell: Stupid.

Mr. McClellan: "Stupid" is a good word. It has been suggested by the member for St. George that "stupid" is perhaps a more apt characterization.

Mr. Blundy: She was referring to your remarks, not the bill.

Mr. McClellan: As I said, I hope this statute will bring about the licensing of residential group homes in this province for the first time on an adequate basis, on the basis of some standards. That would be nice. It would be even nicer if we had the standards. It would be nice to know what those standards are. It would be nice to know whether the standards include equipping group homes with eight-millimetre German Mausers or not.

Mr. Blundy: Mr. Speaker, when one looks over this bill that the minister has presented to us this evening, there are all kinds of things about the approvals of bricks and mortar; there are all kinds of clauses about the financing, the capital costs, et cetera.

This is all very important, of course, I realize that; but we are talking about a children's institution, and we should be talking about the provision of the services that are going to be provided to the children in the institution. My friend the member for Bellwoods has made a very interesting observation about some of the guns and ammunition and so forth. But we in this Legislature, who are really interested in the services that are to be provided to the children who are going to be in these homes, want to know what is going to be done for the children.

It is necessary, of course, to know that an institution will be provided, that it will be financed and so forth; but I will tell the minister before we approve this bill on third reading we are going to have to have a heck of a lot more information in committee than we have in this House tonight. I naturally am going to stand up and say we approve of second reading of the bill. We expect it will go to committee, and we will be provided with a great deal more information as to what the children of this province are going to have and how the children will profit by this bill. We are giving notice to the minister that before it receives third reading we are going to have to have a great deal more detailed information on the bill and on the services provided to children by the facilities provided by the bill. I endorse, therefore, second reading of the bill and the sending of the bill to committee.

Mrs. Campbell: I will be brief, Mr. Speaker. I think my colleague has expressed very succinctly and usefully the feeling of this caucus with reference to the bill. I would just add one point: I am concerned that the approval mechanism is now buried with the minister. One of the problems we in the opposition have had, both with this ministry and with the Health ministry as it pertained to children's services in the past, has been the aura of secrecy surrounding the information about these institutions.

The minister has called upon us to rise and support, as a matter of high principle, what he has brought before us. I want more than just the caution to the minister; I want his commitment that from here on in we will be able to obtain the information pertaining to the operation of these institutions which has been denied us in the past. I don't like to see so much in the hands of the ministry, because I guess it is only a fool who doesn't learn from experience.

[8:30]

I have had the experience of two ministries which have deliberately refused information to the opposition. If this is to be a tripartite attempt to act together for the betterment of the welfare of the children of this province then it can stop with the passing of the legislation, and I would like to see somewhere some assurance that the spirit of co-operation which the minister is seeking will not be a one-way street once the legislation passes.

Mr. Deputy Speaker: Is there any other honourable member wishing to participate in the debate? If not, the honourable minister.

Mr. Makarchuk: No, we want to hear the minister; not for too long though.

Hon. Mr. Norton: Mr. Speaker, I can appreciate the concerns that have been raised by the honourable members opposite with respect to some of their comments. I am not sure that I would agree with the honourable member for Bellwoods that this is entirely a mind-boggling process. I would suggest that the process which we have undertaken is a very complex one, one in which it is not possible, however much we might wish that it might be, to ensure that all things mesh at one particular time.

Mr. McClellan: Or even if anything meshes.

Hon. Mr. Norton: I hope that not all complex things are mind-boggling for my friend opposite, but I can assure him that I will do my level best to help to unboggle the mind in so far as that is within my power.

Mr. Foulds: So far you are not doing very well.

Hon. Mr. Norton: Just give me an opportunity.

On the question of the standards, which he has raised as a matter of concern, I assure him they are well on their way to preparation. We are aiming for the end of July or the first of August for having the proposals with respect to standards completed, to be consistent with the process that we have undertaken. At that time we intend to discuss those with the members opposite, and some of the agencies that are involved, and certainly I would be terribly disappointed if they were not available for members before the committee begins consideration of the legislation. That, of course, may depend in part upon the schedule of the committee which is as yet not familiar to me.

Mr. McClellan: September.

Hon. Mr. Norton: I won't respond to the honourable member's language, be it parliamentary or unparliamentary. I suppose one of the things in this House or in the tasks we have undertaken that we have to deal with is the use of that particular kind of language from time to time, however enlightening it might be.

Mr. Makarchuk: Just respond to the issues.

Hon. Mr. Norton: Well, I am sure that the language of the honourable member is not all that enlightening. If, in fact, I am stupid, I am sure that it has been something which all of the members are aware of without any need for him to enlighten us of it tonight.

I also will not respond, although I would invite the honourable member to raise his concerns about the firearms in question period, suffice it at this point to say that I can assure him --

Mr. McClellan: I raised it. Why should I raise it again?

Hon. Mr. Norton: This is not question period and I suggest to the honourable member that we do in fact --

Mr. Foulds: This is a period for information. What kind of a schoolboy answer is that.

Hon. Mr. Norton: I did not say information period. Stop trying to twist things around. The member knows better than that.

Mr. Foulds: This is a point where you are accountable.

Mr. Makarchuk: Are Mausers in your nursery schools?

Hon. Mr. Norton: I suggest that part of the reason one would find firearms in those homes is that many of them -- I don't know the specific location of the one to which he referred, and I suspect that it is not --

Mrs. Campbell: You should.

Hon. Mr. Norton: Come on, let's be realistic. It is not possible to know specific locations of hundreds of such facilities across the province, but I am sure it is not in big game country. I will assure him that those firearms, wherever they are to be found, are being stored in accordance with the requirements of the ministry and that that particular firearm is under lock and key and unloaded.

Mr. Makarchuk: Wherever they are, they are unnecessary.

Mr. Deputy Speaker: Order.

Hon. Mr. Norton: It's all right for the member for Brantford to try to sensationalize these things.

Mr. Makarchuk: If they want to get them out, they will.

Hon. Mr. Norton: Even though I personally have very strong feelings on the subject, the fact of the matter is that there are hundreds of homes in this province, especially in rural areas, where firearms are to be found safely stored in households. There is nothing unusual about that kind of arrangement. To try to portray it as being otherwise --

Mr. Makarchuk: We are not discussing your average gasoline station or your average home.

Hon. Mr. Norton: -- when one considers the fact that this is providing a reasonably normalized --

Mr. Makarchuk: I'm sure you can understand the character of the storekeeper.

Hon. Mr. Norton: -- setting for children -- certainly one can sensationalize it, sure one can distort it.

Mr. Makarchuk: You do reasonably well about it as well.

Hon. Mr. Norton: Let's just be reasonable about it. The important thing is the issue of safety.

Mr. Makarchuk: That's right, and the people surrounding that firearm.

Hon. Mr. Norton: That is fundamentally important.

The member for Sarnia (Mr. Blundy) did raise some concern about the reference in this act to funding. I would point out again that these are interim amendments. I would see this as an interim step to do two things in conjunction with the Children's Residential Services Act, which we will be dealing with next on the order paper.

If we are to fund any kind of program or facility, it is necessary to have the legislative authority to do that. This is the act under which we would provide the funding for the residential accommodation for children. The other act, the Children's Residential Services Act, which we will be dealing with next, is part of the rationalization process, the process of bringing together and establishing consistent standards for children's residential accommodation across this

province to include consistent licensing and residential standards. We must have those two authorities.

I certainly hope -- and it's my intention -- that in the evolution of the process we've undertaken we will see a consolidation.

Mr. McClellan: The process of the evolution of the process. You are talking about a closed circle.

Ms. Gigantes: Is that like a wheel within a wheel?

Hon. Mr. Norton: We will see in the omnibus legislation a further rationalization of this process. I do want to emphasize this as being interim. The program concerns that the honourable member expresses will be matters that will be addressed in the standards to which I referred earlier and which I hope will be available to the House and the committee, although the House won't be sitting prior to the sitting of the committee dealing with this legislation.

Mrs. Campbell: It has to be.

Hon. Mr. Norton: Our estimates will begin tomorrow but I'm not sure we will get that far. On the question of the concern expressed by the member for St. George, I trust she appreciates that had circumstances been otherwise and had courts not been involved in relationship to a particular residential facility for children, I would have been quite willing to share information with her.

It is not my intention to treat with secrecy any of these matters, such as the handling of public funds, as they apply to children's residential services or any other program of my ministry. It's my hope and intention to be able tomorrow to indicate to the committee in estimates that we have reached a significant stage in terms of the particular agency -- I can mention it, Browndale. I will address myself to that in my opening statement in estimates. I can assure members if there is specific information they wish to have that I am free to reveal, pending the resolution of other matters before the courts, that they will have it.

I don't know whether her shaking of the head indicates scepticism or not, but she herself ought very well to know the kinds of concerns that I would have in terms of possibly prejudicing any

case which might be before the courts. I say that because of her experience as a judicial officer, a member of the bench herself.

I do wish to confirm now that it is not my intention that any of the activities in my ministry, funding or otherwise, will be secret. I think that touches upon the major concerns that have been raised by the honourable members opposite, and I'm sure we will have an opportunity to deal with this matter further in committee.

Motion agreed to.

Ordered for standing social development committee.

Browndale Fraud

Parliament 31, Session 3 November 22, 1979

[Hansard Transcripts 1979-Nov-22 | Legislative Assembly of Ontario \(ola.org\)](#)

Mr. S. Smith: Mr. Speaker, I have a question for the Minister of Health.

In view of yesterday's decision by Mr. Justice Holland to sentence John Brown to three years for his \$975,000 fraud against the government of Ontario, and in view of the fact that the judge expressed the view that any repayment of that amount of money would have to come by separate civil action, does the minister intend to begin such an action on the civil level to recover the money of which the province was defrauded -- close to \$1 million? Will the minister be taking a civil action to recover that money?

Hon. Mr. Timbrell: Mr. Speaker, I will be discussing that with my colleagues, especially the Minister of Community and Social Services, under whom children's mental health programs now come.

Mr. S. Smith: By way of supplementary, since the Ministry of Health was represented by counsel at the proceedings, if I understand it correctly; and since counsel appears to have asked that such compensation be part of the sentence; and in view of the fact that request was already made but denied by the judge on the basis that it ought to be a civil matter, why is there any

hesitation at all on the part of the minister in assuring this House some effort will be made via the civil courts to recover the money the people of Ontario have been defrauded of?

Hon. Mr. Timbrell: Mr. Speaker, it is standard practice in my ministry, wherever possible, to recover sums owing to the ministry. In this particular case, inasmuch as the program was transferred two and a half years ago, before beginning any action I will want to consult with my colleague who is now responsible for the children's mental health programs in general and that one in particular, funded through his ministry, because anything we do is potentially bound to have some impact on the present and current viability of any operations.

Mr. T. P. Reid: Supplementary: While the minister is doing that, will he also ascertain for the House why the government and the civil servants who were responsible did not pass any cabinet order okaying the budget of Browndale, and why no authority was ever given and no contract arrived at for up to three years, I believe, for the funds that were handed over to Browndale from time to time in that three-year period?

Will he also undertake to tell the House why some of the funds that were given to Browndale were given as operating grants and were spent on capital things, such as the houses in the United States and in Europe and the vast real-estate empire Mr. Brown built up?

Hon. Mr. Timbrell: Mr. Speaker, I will take that as notice on behalf of the ministry in the generic sense, inasmuch as all the records and all the associated staff are no longer in my ministry. They are reporting to and responsible to another ministry.

Mrs. Campbell: Mr. Speaker, can the minister then explain to this House what instructions were given to the counsel appearing on behalf of the Minister of Health? Why was he there and what was the purpose of it, in view of this rather iffy situation as it is expressed today?

Hon. Mr. Timbrell: Mr. Speaker, I have indicated to the Leader of the Opposition I will report back and will include --

Mrs. Campbell: You don't know?

Hon. Mr. Timbrell: Yes, Mr. Speaker, inasmuch as the ministry was involved at the time -- and that of course is the reason for the involvement -- through the crown law office.

Mr. Speaker: A new question, the honourable the Leader of the Opposition.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Parliament 31, Session 4 December 4, 1980

[Hansard Transcripts 1980-Dec-04 | Legislative Assembly of Ontario \(ola.org\)](#)

Mrs. Campbell: Mr. Speaker, entering into this debate, it is imperative that I, as a responsible member of this House, give very serious consideration to those statements made by the Attorney General. It is unfortunate perhaps that those statements were not made prior to the issuance of the warrant but, of course, that lay in the lips and the hands of the Attorney General.

We are dealing with a matter that has great seriousness -- tremendous ramifications, I am informed by a person not privy to that, but I accept that the ramifications are very wide. We are also dealing with the matters of the responsibilities of legislators. We do have in our government the three arms: the executive branch, the legislative branch and the judicial branch. Without question, none of us here would wish in any way to encroach upon the judicial branch. That is not our function.

The Attorney General spoke about fairness. Unfortunately, those of us fixed with responsibility, particularly in the opposition ranks, must often perforce come to a conclusion not being privy to all the things in which we are engaging that are unfair. At this time, I regret that any unfairness, going by the Attorney General, would appear to be somehow the unfairness of the opposition parties in trying to do their job in this Legislature for the protection of the public of the province, particularly in the investment field.

May I now address the sub judice rule? The Attorney General has invoked the sub judice rule on many occasions and he has embarked upon the advice to his colleagues that they should not speak in the House because matters have been sub judice.

If I may give some of the examples we have seen of the Attorney General's ruling on sub judice -- which is really what it amounted to -- let us go back to the Browndale issue. For years, the opposition tried using all of the appropriate methods to get the information about the Browndale matter. It was not unfair that we were stonewalled right up to the time when the Attorney General could find it within his heart to bring charges.

Subsequent to the charges being laid, this opposition dropped all the inquiries that were the subject to police investigation leading to charges and cases in the courts. However, we did take the position, that point having been reached, that it was open to us to inquire about a contract entered into subsequent to all of the matters before the courts. I think it is important that we understand this.

The Attorney General rose and defended the position that this was sub judice. The Minister of Community and Social Services (Mr. Norton) rose to say on the advice of the Attorney General that this was sub judice and he could not address any statements or answer any questions in this House.

We did not believe it was sub judice. I would point out that neither of those two ministers thought it was sub judice because the Minister of Community and Social Services, who was tongue-tied in this House, walked out the door and discussed the matter with the press. That is the way in which the sub judice rule is being operated in this House.

Let me say beyond the shadow of a doubt, I am not prepared to enter into a criminal investigation. That investigation properly belongs to the professionals, the police and the crown law officers.

It is true we are concerned with the proprieties surrounding the matter of licences and, as I should think the Attorney General would understand, surrounding the fact of whether or not a decision was made by the Ontario Securities Commission at a certain point in time that might have been prejudicial. The difficulty is that, without having access to the documents we have requested, we are not in a position to come to a conclusion. Perhaps it is because, at this point in time and with the recommendation to the House of the Attorney General, he would have the carriage of the matter, the timing of the matter and control of what it is the committee of this House is going to look at.

The Attorney General has made a great deal of his concerns about the way in which the committee will operate. At some stage the terms under which the committee would operate should become very much a part of the discussion, but I do not wish to take the time to read this somewhat lengthy document.

Needless to say, the committee members -- and I was not one of those present -- very thoughtfully, as I understand it, met with a crown law officer to determine a way to protect the documents. It was my information that the crown law officer was satisfied with the conditions under which the committee would operate. I think it is important that we understand that, because my information is that, save and except the date of Tuesday, December 2, he was satisfied.

The Attorney General has built a smokescreen around this entire issue. He has quoted from Beauchesne, but he is not distinguishing between cases and investigations. I think it is important we understand that just because somebody starts some kind of investigation the matter is then before the courts.

The Attorney General has made much of the fact that the committee does not have terms of reference. However, he agreed that if we will do what he tells us to do and be good little boys and girls, he will then make these documents available to us in his time.

Hon. Mr. Welch: As a former judge, surely the member understands what the Attorney General's responsibilities are.

Mrs. Campbell: As a former judge, I am speaking.

Ontario Loan Act (Continued)

Parliament 32, Session 2 June 8, 1982

[Hansard Transcripts 1982-Jun-08 | Legislative Assembly of Ontario \(ola.org\)](http://ola.org)

Mr. T. P. Reid: Mr. Speaker, when I was a young member, a lot like some of those who are yammering in the back and some of those who should know better, there was a member named John Brown. I do not remember his riding. It might have been Beaches-Woodbine. I sat in my place as a 24-year-old newly elected member, even then of course with the mark of whatever on me --

Mr. Nixon: Mark of Cain.

Mr. T. P. Reid: Cain; I think Abel, whatever. I think it was the mark of Abel, being an able member. I remember sitting and hearing that member stand in his place. He was an avowed Marxist. He said in this chamber, when he started his speech, and I honestly was never so surprised -- other than when I saw this budget -- in my political life as I was then when the member for Beaches-Woodbine at that time, Mr. Brown, stood in his place and said: "I am a

Marxist."

Mr. Samis: Who?

Mr. Philip: You are a what?

Mr. Glues: A Groucho Marxist.

Mr. T. P. Reid: He said, "I am a Marxist." I was surprised that he would say that in a democratic system. I suppose I should not have been but I come from a relatively stable, reasonable, rational area that always does the right thing, as they have demonstrated over the years. He stood in his place and said, "I am a Marxist." His second phrase was, "This place is civil war."

I said to myself, "That is not what I came here for." First of all, I am obviously not a Marxist, unlike some of my friends to the left. I thought this was a reasonable place where reasonable people put reasonable points of view. It was dealt with on that basis.

Mr. Nixon: The government paid him hundreds of millions of dollars and he walked away with it.

Mr. T. P. Reid: Right. He was what one calls "an upwardly mobile Marxist."

Mr. Speaker: Now back to the bill.

Mr. T. P. Reid: He knew who he was dealing with. I wish I had. I am sorry but there is a point to this. He said, "This is civil war." I had never taken that viewpoint until March 19, 1981. It has taken me a long time, even since then, until I had heard the Premier followed by all the Charlie McCarthys over there standing in their places and saying, "The realities of March 19 are."

That is why we are here tonight and why we may be here a lot of other nights. We have found that power corrupts and absolute power, a majority of power, corrupts absolutely.

